

**Exhibit D**  
**to the**  
**Declaration of Sabin Head In Support of Visto's**  
**Motion for Preliminary Injunction**

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
90/007,093	06/18/2004	6085192	035754-007

Jinntung Su  
Manatt, Phelps & Phillips, LLP  
1001 Page Mill Road  
Building 2  
Palo Alto, CA 94304

EXAMINER

ART UNIT

PAPER

DATE MAILED: 08/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

cc: Richard E. Krebs  
P.O. Box 640640  
San Jose, CA 95164



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Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

AUG 30 2005

Jinntung Su  
Manatt, Phelps & Phillips, LLP  
1001 Page Mill Road  
Building 2  
Palo Alto, California 94304

FOR PATENT OWNER

Robert E. Krebs  
P.O. Box 640640  
San Jose, California 95164

FOR THIRD PARTY  
REQUESTER

In re Reexamination of:  
U.S. Patent No. 6,085,192  
Reexamination Control No.  
90/007,093  
For: SYSTEM AND METHOD FOR  
SECURELY SYNCHRONIZING  
MULTIPLE COPIES OF A  
WORKSPACE ELEMENT IN A  
NETWORK

RETURN/NON-ENTRY OF  
NON-COMPLIANT PAPERS

This is a communication in regard to the paper denominated "Request for Reexamination", filed July 11, 2005 by the Third party requestor. This submission relates to various papers which are part of ongoing litigation related to the aforementioned patent.

Pursuant to 37 CFR §1.565:

(a) In an *ex parte* reexamination proceeding before the Office, the patent owner must inform the Office of any prior or concurrent proceedings in which the patent is or was involved such as interferences, reissues, *ex parte* reexaminations, *inter partes* reexaminations, or litigation and the results of such proceedings. See § 1.985 for notification of prior or concurrent proceedings in an *inter partes* reexamination proceeding.

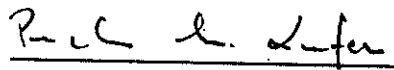
Ordinarily, the Office will, at any time, accept for placement in the reexamination file copies from any parties of notices of suits and other proceedings involving the patent and copies of decisions or other papers filed in the court from litigations or other proceedings involving the patent. However, persons

Reexamination Control No. 90/007,093  
Return of Non-Compliant Papers

- 2 -

making such submissions *must limit the submissions to the notification and must not include further arguments or information* (emphasis added). Where a submission is not limited to bare notice of the prior or current proceedings, the submission will not be made of record nor entered in the file. (MPEP § 2282.) Although MPEP 2282 states that "the submission will be returned", for files maintained in the Image File Wrapper (IFW) system the original papers are not available. Therefore, the physical papers are not returned.

A review of the submission filed July 11, 2005 reveals that the third party requestor has not limited the filing to bare notice of the litigation activity. The submission selects portions of depositions, expert testimony and the supporting art and proceeds to characterize the content of the expert testimony and supporting exhibits which were filed with the court. For this reason, the Communication is not being entered in the file.



Pinchus M. Laufer  
Special Programs Examiner  
Technology Center 2100  
Computer Architecture, Software, and Information Security  
(571) 272-3599



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/007,093	06/18/2004	6085192	035754-007	9956

7590 08/16/2005

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EXAMINER

ART UNIT

PAPER NUMBER

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Robert E. Krebs  
P.O. Box 640540  
San Jose, CA 95164

## EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM

REEXAMINATION CONTROL NO. 90/007,093

PATENT NO. 6085192

ART UNIT 2163

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above identified *ex parte* reexamination proceeding (37 CFR 1.550(f)).

Where this copy is supplied after the reply by requester, 37 CFR 1.535, or the time for filing a reply has passed, no submission on behalf of the *ex parte* reexamination requester will be acknowledged or considered (37 CFR 1.550(g)).

**Notice of Intent to Issue  
Ex Parte Reexamination Certificate**

Control No.

90/007,093

Patent Under Reexamination

6085192

Examiner

Alford W. Kindred

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☐ Prosecution on the merits is (or remains) closed in this *ex parte* reexamination proceeding. This proceeding is subject to reopening at the initiative of the Office or upon petition. Cf. 37 CFR 1.313(a). A Certificate will be issued in view of

- (a) ☒ Patent owner's communication(s) filed: 07 July 2005.  
 (b) ☐ Patent owner's late response filed: \_\_\_\_\_.  
 (c) ☐ Patent owner's failure to file an appropriate response to the Office action mailed: \_\_\_\_\_.  
 (d) ☐ Patent owner's failure to timely file an Appeal Brief (37 CFR 41.31).  
 (e) ☐ Other: \_\_\_\_\_.

Status of *Ex Parte* Reexamination:

- (f) Change in the Specification: ☒ Yes ☐ No  
 (g) Change in the Drawing(s): ☐ Yes ☒ No  
 (h) Status of the Claim(s):

- (1) Patent claim(s) confirmed: 1-18 and 20-25.  
 (2) Patent claim(s) amended (including dependent on amended claim(s)): \_\_\_\_\_.  
 (3) Patent claim(s) cancelled: 19.  
 (4) Newly presented claim(s) patentable: \_\_\_\_\_.  
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3. ☐ Note attached NOTICE OF REFERENCES CITED (PTO-892).

4. ☐ Note attached LIST OF REFERENCES CITED (PTO-1449 or PTO/SB/08).

5. ☐ The drawing correction request filed on \_\_\_\_\_ is: ☐ approved ☐ disapproved.

6. ☐ Acknowledgment is made of the priority claim under 35 U.S.C. § 119(a)-(d) or (f).

- a) ☐ All b) ☐ Some\* c) ☐ None of the certified copies have  
☐ been received.  
☐ not been received.  
☐ been filed in Application No. \_\_\_\_\_.  
☐ been filed in reexamination Control No. \_\_\_\_\_.  
☐ been received by the International Bureau in PCT Application No. \_\_\_\_\_.

\* Certified copies not received: \_\_\_\_\_.

7. ☐ Note attached Examiner's Amendment.

8. ☐ Note attached Interview Summary (PTO-474).

9. ☒ Other: Supplemental mailing to indicate that an amendment to the specification was filed 4/11/05 and entered. Further clarification that the reference to a 5/13 IDS in the 6/28/05 mailing should have been a reference to 5/31 IDS.

*Pinchus M. Laufer*  
**PINCHUS M. LAUFER, PH.D., J.D.**  
**SPECIAL PROGRAM EXAMINER**  
**TECHNOLOGY CENTER 2100**

cc: Requester (if third party requester)

U.S. Patent and Trademark Office  
 PTOL-469 (Rev.9-04)

Notice of Intent to Issue Ex Parte Reexamination Certificate

Part of Paper No 0



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08/09/2005

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EXAMINER

Kindred, Alford

ART UNIT

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San Jose, CA 95184

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REEXAMINATION CONTROL NO. 90/007,093

PATENT NO. 6085192

ART UNIT 2163

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Control No.

90/007,093

Patent Under Reexamination

6085192

Examiner

Alford W. Kindred

Art Unit

2163

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9. ☐ Other: \_\_\_\_\_.

cc: Requester (if third party requester)

U.S. Patent and Trademark Office  
PTOL-469 (Rev.9-04)

Notice of Intent to Issue Ex Parte Reexamination Certificate

Part of Paper No 20050720

Application/Control Number: 90/007,093

Page 2

Art Unit: 2163

### DETAILED ACTION

1. Claims 1-18 and 20-25 are patentable as amended.

### EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below.

Authorization for this examiner's amendment was given in a telephone interview with Pam S. Merkadeau on 7/20/05.

The application has been amended as follows:

- 1. (Currently Amended) A computer-based method comprising the steps of:
- (a) establishing a communications channel through a firewall using an HTTP port or an SSL port;
  - ~~[(a)]~~ (b) generating first examination results from first version information which indicates whether a first workspace element stored at a first store within [a] the firewall has been modified;
  - ~~[(b)]~~ (c) generating second examination results from second version information which indicates whether an independently-modifiable copy of the first workspace element has been modified, the copy being stored at a second store on a smart phone outside the firewall;
  - ~~[(c)]~~ (d) initiating steps [(a)] (b) and [(b)] (c) from within the firewall through the communications channel when predetermined criteria have been satisfied;
  - ~~[(d)]~~ (e) generating a preferred version from the first workspace element and from the copy based on the first and second examination results, wherein if only one of the first workspace element and the copy has been modified, then the step of generating includes selecting the one as the preferred version; and
  - ~~[(e)]~~ (f) storing the preferred version at the first store and at the second store.

Application/Control Number: 90/007,093

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Art Unit: 2163

-- 23. (Currently Amended) A computer-based method comprising the steps of:

(a) establishing a secure communications channel through a firewall using an HTTP port or an SSL port;

[(a)] (b) generating first examination results from first version information which indicates whether a first workspace element stored at a first store within [a] the firewall has been modified;

(c) before generating the first examination results, the step of updating the first version information whenever the first workspace element is modified;

[(b)] (d) generating second examination results from second version information which indicates whether an independently-modifiable copy of the first workspace element has been modified, the copy being stored at a second store outside the firewall;

[(c)] (e) initiating steps [(a)] (b) and [(b)] (d) from within the firewall when predetermined criteria have been satisfied;

[(d)] (f) determining based on the first and second examination results that both the first workspace element and the copy have been modified; and

[(e)] (g) storing both the first workspace element and the copy at the first store and at the second store, wherein the second store comprises a smart phone.—

--This supplemental examiner's amendment, which is necessitated by the examiner's amendment mailed on 7/29/05, corrects a typographical error.

### STATEMENT OF REASONS FOR PATENTABILITY AND/OR CONFIRMATION

3. The following is an examiner's statement of reasons for patentability and/or confirmation of the claims found patentable in this reexamination proceeding: Claims 1-18 and 20-25 are patentable as amended.

Application/Control Number: 90/007,093  
Art Unit: 2163

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**Statement Reasons for Patentability and/or Confirmation.**

4. The Wright reference (5,857,201, 01/05/1999) and the Hawkins reference (6,006,274, 12/21/1999) are closer to the subject matter of the instant applicant (Mendez Patent) than any prior art cited during the prosecution of the patent application.

--The Wright reference is a server/client relationship that incorporates a list of all of the client's applications receiving from a client an application profile which includes document version numbers. Further, Wright teaches the checking of application profiles against another profile to determine version information.

--The Hawkins reference teaches the synchronization of files in a network system including the suggestive use of a firewall.

--Claims 1, 10 and 21-24, of the Mendez Patent, as amended recites the second store comprises a "smart phone", as well as "wherein if only one of the first workspace element and the copy has been modified . . . selecting the one as the preferred version" which is not taught by the Wright or Hawkins references.

--Therefore claims 1, 10, and 21-24 are distinguished over Wright and Hawkins combined, because both references does not teach or suggest the element of "wherein if only one of the first workspace element and the copy has been modified . . . selecting the one as the preferred version". Further, applicant amended teachings of "a second store on a smart phone" as recited in the above amended claims is not taught by the prior art of record and therefore the claims are confirmed.

--Claims 2, 6-8, and 25, of the Mendez reference, as amended teaches the generation of a first and second examination results which indicates whether an

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independently-modifiable copy being stored at a second store outside the firewall including version information combined with a global server having a relationship with the second store is patentable over the Wright and Hawkins references combined.

—Therefore claims 2, 6-8, and 25, are distinguished over the Wright and Hawkins references combined, because neither reference include the use a second store outside the firewall including version information combine with an global element having a relationship with the second store.

Application/Control Number: 90/007,093  
Art Unit: 2163

Page 6

**Conclusion**

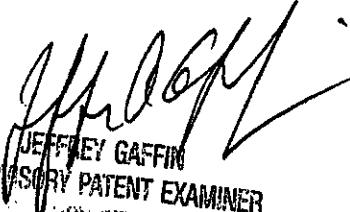
5. Any comments considered necessary by PATENT OWNER regarding the above statement must be submitted promptly to avoid processing delays. Such submission by the patent owner should be labeled: "Comments on Statement of Reasons for Patentability and/or Confirmation" and will be placed in the reexamination file.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alford W. Kindred whose telephone number is 571-272-4037. The examiner can normally be reached on Mon-Thurs 9-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alford W. Kindred  
Patent Examiner  
Tech Ctr. 2100

  
JEFFREY GAFFIN  
SUPERVISORY PATENT EXAMINER  
EBC CENTER 2100

  
HOSAIN ALAM  
SUPERVISORY PATENT EXAMINER

PATENT  
Serial No. 90/007,093

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re reexamination of: 6,085,192

First Named Inventor: Daniel J. Mendez

Control No.: 90/007,093

Filed: 06/18/2004

For: SYSTEM AND METHOD FOR  
SECURELY SYNCHRONIZING  
MULTIPLE COPIES OF A  
WORKSPACE ELEMENT IN A  
NETWORK

Confirmation No.: 9956

Examiner: Alford W. Kindred

Group Art Unit: 2163

Attorney Docket No.: 25587-033-006 RE

AMENDMENT UNDER 37 CFR 1.116

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The following amendments and remarks are filed under the provisions of 37 CFR 1.116 in response to the Final Office Action mailed June 13, 2005, and the Examiner interview of July 6, 2005.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 10 of this paper.







90/007,093

Reexamination  
6085192

Certificate Date

Certificate Number

Requester

Correspondence Address:



Patent Owner



Third Party

Robert E. Krebs  
P.O. Box 640640  
San Jose, California 95164

LITIGATION REVIEW ☒

AWK

7/20/05

(examiner initials)

(date)

Case Name

Director Initials

Visto Corp. v. Seven Networks, Inc., No. 2-03CV-333 (E. D. Tex. filed  
September 23, 2003). Pending.

PML

Sprogit Technologies, Inc. v. Visto Corp., No. 04-891 (D. Minn. filed Feb.  
10, 2004). Pending.

PML

Visto Corp. Sprogit Technologies, Inc., No. C-04-00651 (N. D. Cal. filed  
Feb. 17, 2004). Pending.

PML

Infowave Software, Inc. v. Visto Corp., No. 3:04-CV-01165-L (N. D. Tex.  
filed May 28, 2004). Dismissed with prejudice

PML

Visto Corp. v. Smartner Info Systems, LTD, No. 2-05-CV-91 (E. D. Tex.  
filed February 25, 2005). Pending

PML

## COPENDING OFFICE PROCEEDINGS

TYPE OF PROCEEDING

NUMBER


1.

2.

3.

4.

Reexamination Case 3:04-cv-00651-EMC Document 100-6 Filed 11/22/05 Page 19 of 89

	Application/Control No. 90/007,093	Applicant's Patent Under Reexamination 6085192
	Certificate Date	Certificate Number

Requester	Correspondence Address:	<input type="checkbox"/> Patent Owner	<input checked="" type="checkbox"/> Third Party
<p>Robert E. Kyebs P.O. Box 640640 San Jose, California 95164</p>			

LITIGATION REVIEW <input checked="" type="checkbox"/>	AWK <small>(examiner initials)</small>	7/20/05 <small>(date)</small>
Case Name		Director Initials
Sprogit Technologies, Inc v. Visto, Corp., No. 3:04cv5270		AM

COPENDING OFFICE PROCEEDINGS	
TYPE OF PROCEEDING	NUMBER
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07/29/2005

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EXAMINER

Kindred, Alford

ART UNIT

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- 1. (Currently Amended) A computer-based method comprising the steps of:
  - (a) establishing a communications channel through a firewall using an HTTP port or an SSL port;
  - [(a)] (b) generating first examination results from first version information which indicates whether a first workspace element stored at a first store within [a] the firewall has been modified;
  - [(b)] (c) generating second examination results from second version information which indicates whether an independently-modifiable copy of the first workspace element has been modified, the copy being stored at a second store on a smart phone outside the firewall;
  - [(c)] (d) initiating steps (a) [(b)] and (b) [(c)] from within the firewall through the communications channel when predetermined criteria have been satisfied;
  - [(d)] (e) generating a preferred version from the first workspace element and from the copy based on the first and second examination results, wherein if only one of the first workspace element and the copy has been modified, then the step of generating includes selecting the one as the preferred version; and
  - [(e)] (f) storing the preferred version at the first store and at the second store.

Application/Control Number: 90/007,093

Page 3

Art Unit: 2163

- 23. (Currently Amended) A computer-based method comprising the steps of:
- (a) establishing a secure communications channel through a firewall using an HTTP port or an SSL port;
  - [(a)] (b) generating first examination results from first version information which indicates whether a first workspace element stored at a first store within [a] the firewall has been modified;
  - (c) before generating the first examination results, the step of updating the first version information whenever the first workspace element is modified;
  - [(b)] (d) generating second examination results from second version information which indicates whether an independently-modifiable copy of the first workspace element has been modified, the copy being stored at a second store outside the firewall;
  - [(c)] (e) initiating steps [(a)] (b) and [(b)] (d) from within the firewall when predetermined criteria have been satisfied;
  - [(d)] (f) determining based on the first and second examination results that both the first workspace element and the copy have been modified; and
  - [(e)] (g) storing both the first workspace element and the copy at the first store and at the second store, wherein the second store comprises a smart phone.

#### STATEMENT OF REASONS FOR PATENTABILITY AND/OR CONFIRMATION

3. The following is an examiner's statement of reasons for patentability and/or confirmation of the claims found patentable in this reexamination proceeding: Claims 1-18 and 20-25 are patentable as amended.



Application/Control Number: 90/007,093

Page 4

Art Unit: 2163

**Statement Reasons for Patentability and/or Confirmation.**

4. The Wright reference (5,857,201, 01/05/1999) and the Hawkins reference (6,006,274, 12/21/1999) are closer to the subject matter of the instant applicant (Mendez Patent) than any prior art cited during the prosecution of the patent application.

--The Wright reference is a server/client relationship that incorporates a list of all of the client's applications receiving from a client an application profile which includes document version numbers. Further, Wright teaches the checking of application profiles against another profile to determine version information.

--The Hawkins reference teaches the synchronization of files in a network system including the suggestive use of a firewall.

--Claims 1, 10 and 21-24, of the Mendez Patent, as amended recites the second store comprises a "smart phone", as well as "wherein if only one of the first workspace element and the copy has been modified . . . selecting the one as the preferred version" which is not taught by the Wright or Hawkins references.

--Therefore claims 1, 10, and 21-24 are distinguished over Wright and Hawkins combined, because both references does not teach or suggest the element of "wherein if only one of the first workspace element and the copy has been modified . . . selecting the one as the preferred version". Further, applicant amended teachings of "a second store on a smart phone" as recited in the above amended claims is not taught by the prior art of record and therefore the claims are confirmed.

--Claims 2, 6-8, and 25, of the Mendez reference, as amended teaches the generation of a first and second examination results which indicates whether an

Application/Control Number: 90/007,093

Page 5

Art Unit: 2163

independently-modifiable copy being stored at a second store outside the firewall including version information combined with a global server having a relationship with the second store is patentable over the Wright and Hawkins references combined.

--Therefore claims 2, 6-8, and 25, are distinguished over the Wright and Hawkins references combined, because neither reference include the use a second store outside the firewall including version information combine with an global element having a relationship with the second store.

Application/Control Number: 90/007,093

Art Unit: 2163

Page 6

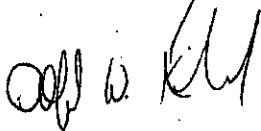
**Conclusion**

5. Any comments considered necessary by PATENT OWNER regarding the above statement must be submitted promptly to avoid processing delays. Such submission by the patent owner should be labeled: "Comments on Statement of Reasons for Patentability and/or Confirmation" and will be placed in the reexamination file.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alford W. Kindred whose telephone number is 571-272-4037. The examiner can normally be reached on Mon-Thurs 9-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Alford W. Kindred  
Patent Examiner  
Tech Ctr. 2100



HOSAIN ALAM  
SUPERVISORY PATENT EXAMINER



CHARLES RONES  
Supervising PRIMARY EXAMINER

Substitute for form 1449A/PTO		<b>ORIGINAL</b>	<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>			Application Number	90/007,093
		Filing Date	06/18/2004	
		First Named Inventor	Daniel J. Mendez	
		Art Unit	2163	
		Examiner Name	Alford W. Kindred	
		Attorney Docket Number	25587-033-005 RE	
Sheet	1	of	1	
<b>NON PATENT LITERATURE DOCUMENTS</b>				
Examiner Initials*	Cite No.†	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city		†2
<i>See</i>	A	IntelliLink Corporation, IntelliLink for Windows Release 3.0, "User's Guide" 1994, Nashua, NH		
	B	Lotus Development Corporation, Lotus Notes Release 4, "Application Developer's Guide" 1995, Cambridge, MA		
	C	Lotus Development Corporation, Lotus Notes Release 3.3 North American Server Edition, "Lotus Notes, the Groupware Standard" 1994, Cambridge, MA		
	D	Sams Publishing, Dahl, Andrew, "Lotus Notes 4 Administrator's Survival Guide," 1996, Indianapolis, IN		
	E	Sams Publishing, Tamura, et al., "Lotus Notes 4 Unleashed," 1996, Indianapolis, IN		
	F	Advisor Publications - Lotus Notes Advisor, Pyle, Hugh, "The Notes Architecture," 1995		
	G	Advisor Publications - Lotus Notes Advisor, Augun, Audry, "Integrating Lotus Notes with Enterprise Data," 1996		
	H	Advisor Publications - Lotus Notes Advisor, Opyt, Barbara and Dale, Robert, "Use the Internet as Your Lotus Notes WAN," 1996		
	I	Lotus Development Corporation, Lotus Notes Knowledge Base, "What is the Notes Replicator?" 1995, Cambridge, MA		
	J	Lotus Development Corporation, Lotus Notes Knowledge Base, "Firewall Security Overview and How Firewalls Relate to Lotus Notes" 1996, Cambridge, MA		
	K	Network Computing, Frenkel, Garry, "Pumping for Info: Notes and Database Integration," 1996		
<i>See</i>	L	IBM Corporation, Hawker et al., "Secrets to Running Lotus Notes: The Decisions No One Tells You How to Make," 1996, Research Triangle Park, NC		
Examiner Signature		Date Considered		
<i>Alford W. Kindred</i>		7/27/05		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## Search Notes



Application/Control No.

90/007,093

Examiner

Alford W. Kindred

Applicant(s)/Patent under  
Reexamination

6085192

Art Unit

2163

## SEARCHED

Class	Subclass	Date	Examiner
707	1, 9-10	7/25/2005	AWK
	203	7/25/2005	AWK
715	511	7/25/2005	AWK

## INTERFERENCE SEARCHED

Class	Subclass	Date	Examiner
707	1, 9-10	7/25/2005	AWK
	203	7/25/2005	AWK
715	511	7/25/2005	AWK

SEARCH NOTES  
(INCLUDING SEARCH STRATEGY)

	DATE	EXMR
West US, JPO, Derwent, IBM ... Search	7/25/2005	AWK



## UNITED STATES PATENT AND TRADEMARK OFFICE

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 United States Patent and Trademark Office  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
 www.uspto.gov

JUL 26 2005

Jinntung Su )  
 Manatt, Phelps & Phillips, LLP )  
 1001 Page Mill Road ) **FOR PATENT OWNER**  
 Building 2 )  
 Palo Alto, California 94304 )

Robert E. Krebs ) **FOR THIRD PARTY**  
 P.O. Box 640640 ) **REQUESTER**  
 San Jose, California 95164 )

In re Reexamination of: )  
 U.S. Patent No. 6,085,192 )  
 Reexamination Control No. )  
 90/007,093 ) **RETURN/NON-ENTRY OF**  
 For: SYSTEM AND METHOD FOR ) **NON-COMPLIANT PAPERS**  
 SECURELY SYNCHRONIZING )  
 MULTIPLE COPIES OF A )  
 WORKSPACE ELEMENT IN A )  
 NETWORK )

This is a communication in regard to the paper denominated "Communication in Re Reexamination of Patent No. 6, 085,192", filed July 12, 2005 by the Third party requestor. This submission relates to various papers which are part of ongoing litigation related to the aforementioned patent.

Pursuant to 37 CFR §1.565:

(a) In an *ex parte* reexamination proceeding before the Office, the patent owner must inform the Office of any prior or concurrent proceedings in which the patent is or was involved such as interferences, reissues, *ex parte* reexaminations, *inter partes* reexaminations, or litigation and the results of such proceedings. See § 1.985 for notification of prior or concurrent proceedings in an *inter partes* reexamination proceeding.

Ordinarily, the Office will, at any time, accept for placement in the reexamination file copies from any parties of notices of suits and other proceedings involving the patent and copies of decisions or other papers filed in the court from litigations or other proceedings involving the patent. However, persons



Reexamination Control No. 90/007,093  
Return of Non-Compliant Papers

-2-

making such submissions ***must limit the submissions to the notification and must not include further arguments or information*** (emphasis added). Where a submission is not limited to bare notice of the prior or current proceedings, the submission will not be made of record nor entered in the file. (MPEP § 2282.) Although MPEP 2282 states that "the submission will be returned", for files maintained in the Image File Wrapper (IFW) system the original papers are not available. Therefore, the physical papers are not returned.

A review of the submission filed July 12, 2005 reveals that the third party requestor has not limited the filing to bare notice of the litigation activity. The submission selects portions of depositions, expert testimony and the supporting art and proceeds to characterize the content of the expert testimony and supporting exhibits which were filed with the court. For this reason, the Communication is not being entered in the file.



Pinchus M. Laufer  
Special Programs Examiner  
Technology Center 2100  
Computer Architecture, Software, and Information Security  
(571) 272-3599



Access DB#

160282

**SEARCH REQUEST FORM****Scientific and Technical Information Center**Requester's Full Name: Pinchus LauferExaminer #: 73139 Date: 7.25/05Art Unit: 2100 Phone Number 272-3599Serial Number: 90/007,093Mail Box Location: 1C81

Results Format Preferred (circle): PAPER DISK E-MAIL

**If more than one search is submitted, please prioritize searches in order of need.**

\*\*\*\*\*

Please provide a detailed statement of the search topic, and describe as specifically as possible the subject matter to be searched. Include the elected species or structures, keywords, synonyms, acronyms, and registry numbers, and combine with the concept or utility of the invention. Define any terms that may have a special meaning. Give examples or relevant citations, authors, etc, if known. Please attach a copy of the cover sheet, pertinent claims, and abstract.

Title of Invention: \_\_\_\_\_

Inventors (please provide full names): \_\_\_\_\_

Earliest Priority Filing Date: \_\_\_\_\_

*\*For Sequence Searches Only\* Please include all pertinent information (parent, child, divisional, or issued patent numbers) along with the appropriate serial number.*

Litigation  
6,085,192

Inventor : Daniel J. Mendez et al. O.G. Date: August 10, 2004

Litigation Styled: Visto Corporation v. Seven Networks, Inc.; Eastern District of Texas Marshall Division, Case No. 2-03CV-333 (TJW)

\*\*\*\*\*

**STAFF USE ONLY****Type of Search****Vendors and cost where applicable**Searcher: Shirelle GreenSequence (#) STNSearcher Phone #: 571-272-3487AA Sequence (#) DialogSearcher Location: 4B28Structure (#) Questel/Orbit 40.25

Date Searcher Picked Up: \_\_\_\_\_

Bibliographic Dr. Link

Date Completed: \_\_\_\_\_

Litigation ☒ Lexis/Nexis

Searcher Prep &amp; Review Time: \_\_\_\_\_

Fulltext Sequence Systems

Clerical Prep Time: \_\_\_\_\_

Patent Family WWW/InternetOnline Time: 30Other Other (specify) CourtLink 31.00

RECEIVED  
JUL 25 2005

1 of 1 DOCUMENT

UNITED STATES PATENT AND TRADEMARK OFFICE GRANTED PATENT

6085192

[Link to Claims Section](#)

July 4, 2000

System and method for securely synchronizing multiple copies of a workspace element in  
a network

**REEXAM-LITIGATE:** May 18, 2004 - Reexamination requested by Seven Networks, Inc., c/o Robert E. Krebs,  
Reexamination No. 90/007,040 (O.G. June 22, 2004) Ex. Gp: 2171

June 18, 2004 - Reexamination requested by Robert E. Krebs, Reexamination No. 90/007,093 (O.G. August 10, 2004)  
Ex. Gp: 2171

NOTICE OF LITIGATION

Vistro Corporation v. Seven Networks, Inc., Filed September 23, 2003, D.C. E.D. Texas, Doc. No. 2-03CV-333-TJW

NOTICE OF LITIGATION

Visto Corporation v. Sprokit Technologies Inc, Filed February 17, 2004, D.C. N.D. California, Doc. No. CV 04-00651  
EMC

**INVENTOR:** Mendez, Daniel J. - Mountain View, California, United States (US); Riggins, Mark D. - San Jose,  
California, United States (US); Wagle, Prasad - Santa Clara, California, United States (US); Ying, Christine C. - Foster  
City, California, United States (US)

**APPL-NO:** 835997 (08)

**FILED-DATE:** April 11, 1997

**GRANTED-DATE:** July 4, 2000

**ASSIGNEE-AT-ISSUE:** RoamPage, Inc., Mountain View, California, United States (US), 02

**ASSIGNEE-AFTER-ISSUE:** April 11, 1997 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT  
FOR DETAILS), ROAMPAGE, INC. 156 EAST DANA STREET MOUNTAIN VIEW CALIFORNIA 94041, Reel  
and Frame Number: 08506/0439

April 6, 1998 - SECURITY AGREEMENT, SILICON VALLEY BANK 1731 EMBARCADERO ROAD, SUITE 220  
PALO ALTO CALIFORNIA 94303, Reel and Frame Number: 09094/0488

March 20, 2000 - CHANGE OF NAME (SEE DOCUMENT FOR DETAILS), VISTO CORPORATION 1937  
LANDINGS DRIVE MOUNTAIN VIEW CALIFORNIA 94043, Reel and Frame Number: 10685/0695

**LEXIS-NEXIS**

**Library: PATENTS**

**File: ALL**

835997 (08) 6085192 July 4, 2000

August 9, 2000 - SECURITY INTEREST (SEE DOCUMENT FOR DETAILS), SAND HILL CAPITAL II, LP  
BUILDING 2, SUITE 110 3000 SAND HILL ROAD MENLO PARK CALIFORNIA 94025, Reel and Frame Number:  
11052/0664

April 30, 2001 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS), FB  
COMMERCIAL FINANCE, INC. 135 NORTH MERAMEC AVENUE ST. LOUIS MISSOURI 63105, Reel and  
Frame Number: 11742/0974

February 13, 2003 - RELEASE, VISTO CORPORATION 275 SHORELINE DR STE 300 REDWOOD SHORES  
CALIFORNIA 94065, Reel and Frame Number: 13776/0491

August 7, 2003 - CHANGE OF ADDRESS, VISTO CORPORATION 275 SHORELINE DRIVE, SUITE 300  
REDWOOD SHORES CALIFORNIA 94065, Reel and Frame Number: 14351/0887

**ENGLISH-ABST:**

A system includes a general synchronization module at the client site for operating within a first firewall and for examining first version information to determine whether a first workspace element has been modified. The system further includes a synchronization agent at a global server for operating outside the first firewall and for forwarding to the general synchronization module second version information which indicates whether an independently-modifiable copy of the first workspace element has been modified. A synchronization-start module is maintained at the client site for operating within the first firewall and for securely initiating the general synchronization module and the synchronization agent when predetermined criteria have been satisfied. The system further includes means for generating a preferred version from the first workspace element and from the copy by comparing the first version information and the second version information, and means for storing the preferred version at the first store and at the second store.

## No Documents Found!

No documents were found for your search terms

"6085192 or 6,085,192"

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Click "Edit Search" to return to the search form and modify your search.

Suggestions:

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- Remove some search terms.
- Use more common search terms, such as those listed in "Suggested Words and Concepts"
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**Library: PATENTS**  
**File: JNLS**

1 of 81 DOCUMENTS

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Asia Pulse

June 30, 2005 Thursday

**SECTION:** Northern Territory Regional

**LENGTH:** 1039 words

**HEADLINE:** VISTO EXPANDS PRESENCE IN ASIA PACIFIC

**DATELINE:** REDWOOD CITY, Calif., June 29

**BODY:**

...only to refer to the goods or services identified by those third-party marks. Visto's technology is protected by U.S. Patents 6,085,192; 5,968,131; 6,023,708; 5,961,590; 6,131,116; 6,151,606; 6,233,341; 6,131,096, 6,708,221 and 6,766,454 and 12 foreign patents. Other patents pending. ...

**LEXIS-NEXIS**  
**Library: PATENTS**  
**File: CURNES**

4 of 81 DOCUMENTS

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June 28, 2005 Tuesday 3:00 PM GMT

**LENGTH:** 970 words

**HEADLINE:** Visto Corporation Selected by AlwaysOn as Top 100 Private Company Award Winner;  
Leading Push Email Provider Recognized for Excellence in Technology, Innovation, Growth and Value Creation

**DATELINE:** REDWOOD CITY, Calif. June 28

**BODY:**

...only to refer to the goods or services identified by those third-party marks. Visto's technology is protected by U.S. Patents 6,085,192; 5,968,131; 6,023,708; 5,961,590; 6,131,116; 6,151,606; 6,233,341; 6,131,096, 6,708,221 and 6,766,454 and 12 foreign patents. Other patents pending. ...

5 of 81 DOCUMENTS

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M2 Presswire

May 24, 2005

**LENGTH:** 1041 words

**HEADLINE:** Visto Corporation: Nextel launches first ever push email service for Java-based wireless phones; mobile email enhanced using Visto mobile technology provides mobile professionals with a productivity edge; Seamless email delivery directly to mobile phones helps individuals stay connected

**BODY:**

...only to refer to the goods or services identified by those third-party marks. Visto's technology is protected by U.S. Patents 6,085,192; 5,968,131; 6,023,708; 5,961,590; 6,131,116; 6,151,606; 6,233,341; 6,131,096, 6,708,221 and 6,766,454 and 12 foreign patents. Other patents pending. ...



7 of 81 DOCUMENTS

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M2 Presswire

May 23, 2005

**LENGTH:** 1295 words

**HEADLINE:** Visto Corporation: Visto announces push email contract with SFR; SFR launches "Business Mail for Smartphones" powered by Visto Mobile with ConstantSync technology

**BODY:**

...only to refer to the goods or services identified by those third-party marks. Visto's technology is protected by U.S. Patents 6,085,192; 5,968,131; 6,023,708; 5,961,590; 6,131,116; 6,151,606; 6,233,341; 6,131,096, 6,708,221 and 6,766,454 and 12 foreign patents. Other patents pending. ...

9 of 81 DOCUMENTS

Copyright 2005 M2 Communications Ltd  
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April 28, 2005

**LENGTH:** 1384 words

**HEADLINE:** Visto Corporation: Rogers Wireless and Visto launch MyMail push e-mail solution in Canada; MyMail solution uses Visto Mobile with ConstantSync Technology to push e-mail to device of your choice

**BODY:**

...only to refer to the goods or services identified by those third-party marks. Visto's technology is protected by U.S. Patents 6,085,192; 5,968,131; 6,023,708; 5,961,590; 6,131,116; 6,151,606; 6,233,341; 6,131,096, 6,708,221 and 6,766,454 and 12 foreign patents. Other patents pending. ...

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April 21, 2005 Thursday 11:58 AM GMT

**LENGTH:** 1253 words

**HEADLINE:** Vodafone Selects Visto for Global Push Email Contract;  
Vodafone Launches Its Push Email Offering to Its Mobile Community Using Visto Mobile(TM) With  
ConstantSync(TM) Technology

**DATELINE:** REDWOOD SHORES, Calif. April 21

**BODY:**

...only to refer to the goods or services identified by those third-party marks. Visto's technology is protected by U.S. Patents 6,085,192; 5,968,131; 6,023,708; 5,961,590; 6,131,116; 6,151,606; 6,233,341; 6,131,096, 6,708,221 and 6,766,454 and 12 foreign patents. Other patents pending. ...

14 of 81 DOCUMENTS

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March 3, 2005 Thursday

**LENGTH:** 677 words

**HEADLINE:** United States Patent Office Upholds Visto's Patent Claims Against Seven Networks

**DATELINE:** REDWOOD SHORES, Calif. March 3

**BODY:**

...United States Patent & Trademark Office has upheld a majority of the claims contained within Visto's U.S. Patent No. 6,085,192 in the re-examination of that patent requested by Seven Networks, Inc.

After considering Seven's request and assessing the merits of the ...

...only to refer to the goods or services identified by those third-party marks. Visto's technology is protected by U.S. Patents 6,085,192; 5,968,131; 6,023,708; 5,961,590; 6,131,116; 6,151,606; 6,233,341; 6,131,096, 6,708,221 and 6,766,454 and 12 foreign patents. Other patents pending. ...

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March 2, 2005 Wednesday

**LENGTH:** 309 words

**HEADLINE:** SEVEN Reports: U.S. Patent and Trademark Office Rejects Visto Patent Claims;  
In the Re-examination of US Patent No. 6,085,192, PTO Finds Visto Corporation Claims Unpatentable

**DATELINE:** REDWOOD CITY, Calif. March 2

**BODY:**

...SEVEN announced that the United States Patent and Trademark Office ("PTO") rejected the base claims of Visto Corporation's US Patent 6,085,192. After conducting its review, the PTO found that all of the independent claims of the '192 Patent were unpatentable in view of prior art ...

16 of 81 DOCUMENTS

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M2 Presswire

February 28, 2005

**LENGTH:** 745 words

**HEADLINE:** Visto Corporation: Visto files patent infringement lawsuit against Smartner

**BODY:**

...intellectual property."

Visto asserts that Smartner Information Systems Ltd. is infringing on five of its patents: US patent nos. 6,085,192 and 6,023,708, which describe systems and methods for securely synchronizing multiple copies of a workspace element in a network, and the ...

...only to refer to the goods or services identified by those third-party marks. Visto's technology is protected by U.S. Patents 6,085,192; 5,968,131; 6,023,708; 5,961,590; 6,131,116; 6,151,606; 6,233,341; 6,131,096, 6,708,221 and 6,766,454 and 12 foreign patents. Other patents pending. ...

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February 1, 2005 Tuesday

**LENGTH:** 755 words

**HEADLINE:** Texas Court Denies Preliminary Injunction but Accelerates Jury Selection Date in Patent Infringement  
Suit Against Seven Networks;  
Jury Selection Set for June 29, 2005 in Marshall, Texas

**DATELINE:** REDWOOD SHORES, Calif. Feb. 1

**BODY:**

...Networks, Inc. is infringing on six of its patents. These six patents included in the legal action are: US patent nos. 6,085,192 and 6,023,708, which describe systems and methods for securely synchronizing multiple copies of a workspace element in a network, and the ...

...only to refer to the goods or services identified by those third-party marks. Visto's technology is protected by U.S. Patents 6,085,192; 5,968,131; 6,023,708; 5,961,590; 6,131,116; 6,151,606; 6,233,341; 6,131,096, 6,708,221 and 6,766,454. Other patents pending.

**CONTACT:** Aswani of Neale- ...

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October 25, 2004 Monday

**LENGTH:** 989 words

**HEADLINE:** Visto Corporation Announces Support for Treo 650 Smartphone;  
Visto Extends Push Email Solution With New Treo 650 Support

**DATELINE:** REDWOOD SHORES, Calif. Oct. 25

**BODY:**

...only to refer to the goods or services identified by those third-party marks. Visto's technology is protected by U.S. Patents 6,085,192; 5,968,131; 6,023,708; 5,961,590; 6,131,116; 6,151,606; 6,233,341; 6,131,096, 6,708,221 and 6,766,454. Other patents pending. ...



20 of 81 DOCUMENTS

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October 5, 2004

**LENGTH:** 1103 words

**HEADLINE:** Visto Corporation: Visto announces Visto Mobile 5.0 on Symbian OS; New Sony Ericsson P910 smartphone powered by Symbian OS among first devices with support for Visto's breakthrough solution for over-the-air email, calendar, and contacts push

**BODY:**

...only to refer to the goods or services identified by those third-party marks. Visto's technology is protected by U.S. Patents 6,085,192; 5,968,131; 6,023,708; 5,961,590; 6,131,116; 6,151,606; 6,233,341; 6,131,096, 6,708,221 and 6,766,454. Other patents pending.

CONTACT: Alex Sowden/ ...

31 of 81 DOCUMENTS

Copyright 2004 Asia Pulse Pte Limited  
Asia Pulse

April 29, 2004 Thursday

**SECTION:** Northern Territory Regional

**LENGTH:** 610 words

**HEADLINE:** VISTO RECEIVES PATENT FOR SECURE REMOTE ACCESS TO CORP. DATA

**DATELINE:** REDWOOD SHORES, Calif., April 28

**BODY:**

...refer to the goods or services identified by those third-party marks. Visto's technology is protected by U.S. Patent Nos. 6,085,192, 5,968,131, 6,023,708, 5,961,590, 6,131,116, 6,151,606, 6,233,341, 6,131,096 and 6,708,221. Other patents pending.

**SOURCE:** Visto Corporation

**CONTACT:** ...

33 of 81 DOCUMENTS

Copyright 2004 Canada NewsWire Ltd.  
Canada NewsWire

April 28, 2004, Wednesday

**SECTION:** FINANCIAL NEWS

**DISTRIBUTION:** Attention Business And Technology Editors

**LENGTH:** 655 words

**HEADLINE:** Visto Corporation Receives Patent for Secure Remote Access To Corporate Data

**DATELINE:** REDWOOD SHORES, Calif., April 28

**BODY:**

...refer to the goods or services identified by those third-party marks. Visto's technology is protected by U.S. Patent Nos. 6,085,192, 5,968,131, 6,023,708, 5,961,590, 6,131,116, 6,151,606, 6,233,341, 6,131,096 and 6,708,221. Other patents pending.

**VIEW ADDITIONAL COMPANY-SPECIFIC ...**

37 of 81 DOCUMENTS

Copyright 2004 PR Newswire Europe Limited  
PR Newswire Europe

April 28, 2004 Wednesday

**LENGTH:** 717 words

**HEADLINE:** Visto Corporation Files to Expand Patent Lawsuit against Seven Networks

**BODY:**

...refer to the goods or services identified by those third-party marks. Visto's technology is protected by US Patent Nos. 6,085,192, 5,968,131, 6,023,708, 5,961,590, 6,131,116, 6,151,606, 6,233,341, 6,131,096 and 6,708,221. Other patents pending.

Web site: <http://www. ...>

38 of 81 DOCUMENTS

Copyright 2004 Canada NewsWire Ltd.  
Canada NewsWire

April 26, 2004, Monday

**SECTION:** FINANCIAL NEWS

**DISTRIBUTION:** Attention Business And Technology Editors

**LENGTH:** 633 words

**HEADLINE:** Visto Corporation Receives Prestigious Investors' Choice Award at Wireless Ventures Leading Investors Praise Mobile Messaging Leader's Success and Momentum

**DATeline:** REDWOOD SHORES, Calif., April 26

**BODY:**

...only to refer to the  
goods or services identified by those third-party marks. Visto's technology is  
protected by U.S. Patents 6,085,192, 5,968,131, 6,023,708, 5,961,590,  
6,131,116, 6,151,606, 6,233,341, and 6,131,096. Other patents pending.

43 of 81 DOCUMENTS

Copyright 2004 M2 Communications Ltd.  
M2 PRESSWIRE

March 22, 2004

**LENGTH:** 1436 words

**HEADLINE:** PalmSource

PalmSource and Visto announce availability of MobileMail 5.0 for Palm OS Garnet and Palm OS Cobalt

**BODY:**

...registered trademarks, trade names or service marks are the property of their respective owners.

Visto technology is protected by U.S. Patents 6,085,192, 5,968,131, 6,023,708, 5,961,590, 6,131,116, 6,151,606, 6,233,341, and 6,131,096. Other patents pending.

Forward Looking Statement This press release ...

47 of 81 DOCUMENTS

Copyright 2004 Asia Pulse Pte Limited  
Asia Pulse

February 26, 2004 Thursday

**SECTION:** Northern Territory Regional

**LENGTH:** 908 words

**HEADLINE:** VISTO SIGNS AGREEMENT WITH MICROSOFT

**DATELINE:** CANNES, 3GSM World Congress, Feb. 25

**BODY:**

...registered trademarks, trade names or service marks are the property of their respective owners. Visto's technology is protected by U.S. Patents 6,085,192, 5,968,131, 6,023,708, 5,961,590, 6,131,116, 6,151,606, 6,233,341, and 6,131,096. Other patents pending.

SOURCE: Visto Corporation

CONTACT: Tuesday ...

59 of 81 DOCUMENTS

Copyright 2003 Canada NewsWire Ltd.  
Canada NewsWire

December 9, 2003, Tuesday

**SECTION:** DOMESTIC NEWS

**DISTRIBUTION:** Attention News Editors

**LENGTH:** 997 words

**HEADLINE:** Rogers AT&T Wireless and Visto provide superior mobile access to e-mail, calendar and contacts;  
- From Desktop to Device, Enhanced Wireless Desktop is the answer to office connectivity -

**DATELINE:** TORONTO, ON and REDWOOD CITY, CA, Dec. 9

**BODY:**

...registered trademarks, trade names or service marks are the property of their respective owners. Visto's technology is protected by U.S. Patents 6,085,192, 5,968,131, 6,023,708, 5,961,590, 6,131,116, 6,151,606, 6,233,341, and 6,131,096. Other patents pending.

**VIEW ADDITIONAL COMPANY-SPECIFIC INFORMATION:** ...



60 of 81 DOCUMENTS

Copyright 2003 Omega Communications, Inc.  
Intellectual Property Today

December, 2003

**SECTION:** RFC EXPRESS TM; Recently Filed Patent Cases; Pg. 28

**LENGTH:** 966 words

**BODY:**

...INFOWAVE SOFTWARE INC.  
5,961,590

03-333 -- Filed:030923  
VISTO CORPORATION

vs.

SEVEN NETWORKS INC.  
6,023,708; 6,085,192

03-60176 -- Filed:030822  
WARRIOR LACROSSE INC.

vs.

J. DEBEER & SON INC.  
6,561,932

03-3576 -- ...

63 of 81 DOCUMENTS

Copyright 2003 PR Newswire Europe Limited  
PR Newswire Europe

November 25, 2003 Tuesday

**LENGTH:** 774 words

**HEADLINE:** Visto Provides Corporate Messaging for AT&T Wireless Subscribers

**BODY:**

...registered trademarks, trade names or service marks are the property of their respective owners. Visto's technology is protected by U.S. Patents 6,085,192, 5,968,131, 6,023,708, 5,961,590, 6,131,116, 6,151,606, 6,233,341, and 6,131,096. Other patents pending.

Web site: <http://www.visto. ...>

79 of 81 DOCUMENTS

Copyright 2003 PR Newswire Association, Inc.  
PR Newswire

September 23, 2003 Tuesday

**SECTION: FINANCIAL NEWS**

**LENGTH:** 595 words

**HEADLINE:** Visto Files Patent Infringement Lawsuits Against Infowave and Seven;  
Complaints Seek Injunctions, Damages

**DATELINE:** REDWOOD CITY, Calif. Sept. 23

**BODY:**

...relates to the system and method for synchronizing email. Visto's claims against Seven reference two Visto patents, nos. 6,085,192 and 6,023,708, which describe systems and methods for securely synchronizing multiple copies of a workspace element in a network, and the ...

...registered trademarks, trade names or service marks are the property of their respective owners. Visto's technology is protected by U.S. Patents 6,085,192, 5,968,131, 6,023,708, 5,961,590, 6,131,116, 6,151,606, 6,233,341, and 6,131,096. Other patents pending.

**SOURCE** Visto Corporation

## US District Court Civil Docket

U.S. District - Texas Eastern  
(Marshall)

2:03cv333

### Visto Corporation v. Seven Networks Inc

This case was retrieved from the court on Tuesday, June 07, 2005

Date Filed: 09/23/2003	Class Code: JURY, PATENT
Assigned To: Judge T John Ward	Closed: no
Referred To:	Statute: 35:271
Nature of suit: Patent (830)	Jury Demand: Both
Cause: Patent Infringement	Demand Amount: \$0
Lead Docket: None	NOS Description: Patent
Other Docket: None	
Jurisdiction: Federal Question	

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Plaintiff

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Visto Corporation Counter  
Defendant

Seven Networks Inc Counter  
Claimant

Visto Corporation Counter  
Defendant

Date	#	Proceeding Text
09/23/2003	1	Original Complaint and Jury Demand filed. Cause: 35:271 Patent Infringement (ktd) (Entered: 09/26/2003)
09/23/2003	--	Demand for jury trial by Visto Corporation (ktd) (Entered: 09/26/2003)
09/23/2003	--	Filing Fee Paid; FILING FEE \$ 150.00 RECEIPT # 101624 (ktd) (Entered: 09/26/2003)
09/23/2003	--	Summons(es) issued for Seven Networks Inc & given to pla's runner (ktd) (Entered: 09/26/2003)
09/23/2003	3	Form mailed to Commissioner of Patents and Trademarks. (ktd) (Entered: 09/26/2003)
09/25/2003	2	MOTION by Visto Corporation to exceed page limitation for its motion for prelim inj (note: motion tendered) (ktd) Modified on 09/26/2003 (Entered: 09/26/2003)
09/25/2003	4	Corporate Disclosure Statement filed by Visto Corporation (ktd) (Entered: 09/26/2003)
09/25/2003	5	Application by Visto Corporation for Ronald S Katz to appear PHV (poa) (Entered: 09/29/2003)
09/25/2003	6	Application by Visto Corporation for Robert Becker to appear PHV (poa) (Entered: 09/29/2003)
09/26/2003	--	Copy file prepared for Judge Ward (ktd) (Entered: 09/26/2003)
09/29/2003	7	Application by Visto Corporation for James Bruce McCubbrey to appear phv (ktd) (Entered: 09/30/2003)
09/29/2003	--	PHV Filing Fee paid by atty McCubbrey; PHV FILING FEE \$ 25.00 RECEIPT # 101636 (ktd) (Entered: 09/30/2003)
10/07/2003	8	Return of personal service executed as to Seven Networks Inc 9/24/03 Answer due on 10/14/03 for Seven Networks Inc (ktd) (Entered: 10/07/2003)
10/14/2003	9	Answer to complaint by Seven Networks Inc; and Counterclaims (ktd) (Entered: 10/15/2003)
10/14/2003	9	Counterclaim by Seven Networks Inc against Visto Corporation (ktd) (Entered: 10/15/2003)
10/14/2003	--	Magistrate consent forms mailed to Seven Networks Inc (ktd) (Entered: 10/15/2003)
10/14/2003	10	Corporate Disclosure Statement filed by Seven Networks Inc (ktd) (Entered: 10/15/2003)
10/24/2003	11	Application by Seven Networks Inc for Dean A Morehous Jr; Robert E Krebs; and Robert E Camors Jr to appear phv (ktd) (Entered: 10/29/2003)
10/27/2003	--	PHV Filing Fee paid by atty Krebs etal; PHV FILING FEE \$ 75.00 RECEIPT # 101726 (ktd) (Entered: 10/29/2003)
11/06/2003	12	MOTION by Visto Corporation to dismiss with prej the affirmative defenses and counterclaim contained in dft's answer, and alternative to strike the 1st, 2nd and 3rd affirmative defenses of the [9-1] counter claim (ktd) (Entered: 11/07/2003)
11/24/2003	13	WITHDRAWN PER 15 ORDER FILED 12/9/03 Agreed Motion by Visto Corporation, Seven Networks Inc concerning Visto's pending motion to dismiss and alternative motion to strike (ktd) Modified on 12/09/2003 (Entered: 11/25/2003)
12/01/2003	14	Motion by Visto Corporation for preliminary injunction scheduling order (ktd) (Entered: 12/02/2003)
12/09/2003	15	ORDER granting [13-1] motion concerning Visto's pending motion to dismiss and alternative motion to strike. It is ordered that pla Visto's motion is withdrawn and dft Seven is granted leave to file an amended ans repleading its first affirmative defense ( signed by Judge T. J. Ward 12/6/03 cc: attys & tjw 12/9/03) (ktd) (Entered: 12/09/2003)
12/15/2003	16	First Amended Answer to complaint and counterclaims by Seven Networks Inc : amends [9-1]

answer (ktd) (Entered: 12/16/2003)

12/15/2003 16 First Amended counterclaim by Seven Networks Inc : amending [9-1] counter claim (ktd) (Entered: 12/16/2003)

12/19/2003 17 MEMORANDUM OF POINTS and AUTHORITIES by Seven Networks Inc in opposition toto [14-1] motion for preliminary Injunction scheduling order (poa) (Entered: 12/23/2003)

12/30/2003 18 Reply by Visto Corporation to response to [14-1] motion for preliminary Injunction scheduling order (ktd) (Entered: 01/06/2004)

12/30/2003 19 Notice of disclosure by Visto Corporation (ktd) (Entered: 01/06/2004)

01/07/2004 20 MOTION by Visto Corporation to dismiss with prej the affirmative defenses and counterclaim contained in dft's first amended answer to complaint and counterclaims , and alternatively, to strike the 1st, 2nd and 3rd affirmative defenses of [16-1] amended claim, [16-1] answer pursuant to FRCP 12(f) (ktd) (Entered: 01/08/2004)

01/12/2004 21 SurReply by Seven Networks Inc to response to [14-1] motion for preliminary injunction scheduling order (ktd) (Entered: 01/13/2004)

01/26/2004 22 Memorandum In Opposition (Response) by Seven Networks Inc to [20-1] motion to dismiss with prej the affirmative defenses and counterclaim contained in dft's first amended answer to complaint and counterclaims, [20-2] motion to strike the 1st, 2nd and 3rd affirmative defenses of [16-1] amended claim, [16-1] answer pursuant to FRCP 12(f) (note: exhibits not scanned) (ktd) (Entered: 01/27/2004)

02/03/2004 23 Reply by Visto Corporation to response to [20-1] motion to dismiss with prej the affirmative defenses and counterclaim contained in dft's first amended answer to complaint and counterclaims, [20-2] motion to strike the 1st, 2nd and 3rd affirmative defenses of [16-1] amended claim, [16-1] answer pursuant to FRCP 12(f) (ktd) (Entered: 02/04/2004)

02/10/2004 -- ORDER granting 14 Motion . Signed by Judge T. John Ward on 2/10/04. (fnt, ) (Entered: 02/18/2004)

02/10/2004 26 ORDER re 14 Motion for Miscellaneous Relief filed by Visto Corporation Discovery due by 2/10/2004 for Seven and ends 4/9/04. Opposition Brief is due by 4/23/2004. Visto's Reply Brief is due 4/30/04. Signed by Judge T. John Ward on 2/10/04. (fnt, ) (Entered: 02/18/2004)

02/13/2004 25 SUR-REPLY by Seven Networks Inc to Visto's Reply on its Motion re 12 Motion to Dismiss, Motion to Strike, 20 Motion to Dismiss, Motion to Strike(kjr, ) (Entered: 02/18/2004)

02/17/2004 24 ORDER granting in part and denying in part 20 Motion to Dismiss, granting in part and denying in part 20 Motion to Strike pursuant to the terms of this order; the dft is granted leave to re-plead and such pleading shall be filed within 10 days after the date of the entry of this order . Signed by Judge T. John Ward on 2/17/04. (ktd, ) (Entered: 02/17/2004)

02/20/2004 28 ACKNOWLEDGEMENT OF RECEIPT by Visto Corporation as to 26 Order, (fnt, ) (Entered: 03/02/2004)

02/27/2004 27 SECOND AMENDED ANSWER to Complaint with Jury Demand, COUNTERCLAIM against Visto Corporation by Seven Networks Inc.(kjr, ) (Entered: 03/02/2004)

02/27/2004 30 \*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT #\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT #\*\*\* ACKNOWLEDGEMENT OF RECEIPT by Seven Networks Inc as to \*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT #\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT #\*\*\* Order(fnt, ) Modified on 3/2/2004 (fnt, ). (Entered: 03/02/2004)

02/27/2004 31 \*\*\*REPLACED DOCUMENT #\*\*\*REPLACED DOCUMENT # WHICH WAS FILED IN ERROR\*\*\* ACKNOWLEDGEMENT OF RECEIPT by Seven Networks Inc as to \*\*\*REPLACED DOCUMENT #\*\*\*REPLACED DOCUMENT # WHICH WAS FILED IN ERROR\*\*\* Order(fnt, ) Modified on 3/2/2004 (fnt, ). (Entered: 03/02/2004)

03/03/2004 32 ACKNOWLEDGEMENT OF RECEIPT by Robert D Becker of 26 Order (ktd, ) (Entered: 03/03/2004)

03/11/2004 34 APPLICATION to Appear Pro Hac Vice by Attorney Chris Kao for Seven Networks Inc, Ahmed Kasem for Seven Networks Inc. (ktd, ) (Entered: 03/12/2004)

03/12/2004 33 NOTICE of Hearing: Scheduling Conference set for 5/18/2004 at 1:00 PM before Judge T. John Ward in Marshall, TX.(shd, ) (Entered: 03/12/2004)

03/12/2004 -- Pro Hac Vice Filing fee paid by Kasem & Kao; Fee: \$50, receipt number: 102153 (ktd, ) (Entered: 03/12/2004)

03/15/2004 35 NOTICE OF SCHEDULING CONFERENCE, PROPOSED DEADLINES FOR DOCKET CONTROL ORDER AND DISCOVERY ORDER The Court, sua sponte, issues this Notice of Scheduling Conference, Proposed Deadlines for Docket Control Order and Discovery Order. Pursuant to FRCP 16 and Local Rule CV-16, the Scheduling Conference in this case is set for 5/18/04 at 1:00 p.m. in Marshall, TX. The parties are directed to meet and confer in accordance with FRCP 16(f) prior to the conference. Signed by Judge T John Ward 3/15/04 (mpv, ) (Entered: 03/15/2004)

03/15/2004 -- Set Deadlines/Hearings: Scheduling Conference set for 3/18/2004 01:00 PM in Ctrm 106 (Marshall) before Judge T. John Ward. (mpv, ) (Entered: 03/15/2004)

03/16/2004 36 Agreed MOTION by Seven Networks Inc, Visto Corporation for Entry of A Stipulated Protective Order (rvw, ) (Entered: 03/19/2004)

03/18/2004 -- Set Deadlines/Hearings: Scheduling Conference set for 5/18/2004 01:00 PM in Ctrm 106 (Marshall) before Judge T. John Ward. THIS IS TO CORRECT AN ERROR IN THE DATE OF CONFERENCE MADE IN THE ENTRY ON 3/15/04 (ktd, ) (Entered: 03/18/2004)

03/22/2004 37 REPLY to Counterclaims 12, 16, 9, and 27 by Visto Corporation. (ktd, ) (Entered: 03/24/2004)

04/02/2004 38 STIPULATED PROTECTIVE ORDER. Signed by Judge T. John Ward on 3/31/04. cc: attys(poa, ) (Entered: 04/02/2004)

04/15/2004 39 \*\*\*FILED IN ERROR. PLEASE IGNORE.\*\*\* Minute Entry for proceedings held before Judge T. John Ward : Motion Hearing held on 4/15/2004 in Marshall, TX. (Court Reporter Susan Simmons.) (shd, ) Modified on 4/21/2004 (shd, ). (Entered: 04/21/2004)

04/23/2004 40 MOTION by Seven Networks Inc to Strike and Objections to Evidence submitted in support of pla's motion for prelliminary injunction (exhibits not scanned) (ktd, ) (Entered: 04/28/2004)

04/23/2004 42 MOTION for Leave to File opposition that exceeds the page limit to pla's motion for preliminary injunction by Seven Networks Inc. (ktd, ) Modified on 4/29/2004 (ktd, ). (Entered: 04/29/2004)

04/27/2004 41 MOTION with memorandum of points & authorities for leave to Amend 1 Complaint - file First Amended Complaint (exhibits not scanned) by Visto Corporation. (ktd, ) (Entered: 04/29/2004)

04/27/2004 43 MOTION to Strike dft's Preliminary Claim Construction Brief by Visto Corporation. (part 2 of 2-part document) (ktd, ) (Entered: 04/29/2004)

04/27/2004 44 RESPONSE to Motion re 42 MOTION for Leave to File filed by Visto Corporation.(part 1 of 2-part document) (ktd, ) (Entered: 04/29/2004)

04/29/2004 45 ORDER granting 42 Motion for Leave to File . Signed by Judge T. John Ward on 4/28/04. (ktd, ) (Entered: 04/29/2004)

04/29/2004 46 FILED UNDER SEAL MEMORANDUM OF POINTS & AUTHORITIES BRIEF by Seven Networks Inc in Opposition to Visto's "Tendered" Motion for Preliminary Injunction. (ktd, ) (Entered: 04/29/2004)

04/30/2004 47 RESPONSE in Opposition re 40 MOTION to Strike filed by Visto Corporation. (ktd, ) (Entered: 05/04/2004)

04/30/2004 48 Unopposed MOTION by Visto for Leave to File Excess Pages for its Reply to Seven's opposition to Visto's motion for preliminary injunction. (ktd, ) (Entered: 05/04/2004)

05/04/2004 49 AMENDED RESPONSE in Opposition re 40 MOTION to Strike filed by Visto Corporation. (ktd, ) (Entered: 05/05/2004)

05/10/2004 50 REPLY MEMORANDUM in support of 40 MOTION to Strike & objections to evidence submitted in support of pla's motion for preliminary injunction filed by Seven Networks Inc. (ktd, ) (Entered: 05/12/2004)

05/10/2004 51 Unopposed MOTION by Seven Networks for Leave to exceed page limits for its Sur-Reply memorandum in opposition to pla's motion for preliminary injunction . (ktd, ) (Entered: 05/12/2004)

05/17/2004 52 ORDER granting 51 Motion for Leave to File Excess Pages for dft's Surreply in opposition . Signed by Judge T. John Ward on 5/17/04. (ktd, ) (Entered: 05/17/2004)

05/17/2004 53 ORDER granting 48 Motion for Leave to File Excess Pages for Visto's Reply to dft's opposition . Signed by Judge T. John Ward on 5/17/04. (ktd, ) (Entered: 05/17/2004)

05/17/2004 56 RESPONSE to Motion re 43 MOTION to Strike filed by Seven Networks Inc. (ktd, ) (Entered: 05/19/2004)

05/17/2004 57 FILED UNDER SEAL REPLY BRIEF to Response to Motion re 14 Motion for prei injunction filed by Visto Corporation. (ktd, ) (Entered: 05/21/2004)

05/17/2004 58 FILED UNDER SEAL SUR-REPLY in opposition to Response to Motion re 14 Motion for Prelim Inj filed by Seven Networks Inc. (ktd, ) (Entered: 05/21/2004)

05/19/2004 54 AMENDED DISCOVERY ORDER . Signed by Judge T. John Ward on 5/18/04. (ktd, ) (Entered: 05/19/2004)

05/19/2004 55 DOCKET CONTROL ORDER : In accordance with the scheduling conf held 5/18/04 Final Pretrial Conference set for 6/30/2005 09:30 AM in Ctrm 106 (Marshall) before Judge T. John Ward. Amended Pleadings due by 12/9/2004. Discovery due by 5/27/2005. Joinder of Parties due by 6/17/2004. Jury instructions due by 6/20/2005 Jury Selection set for 7/5/2005 09:00 AM in Ctrm 106 (Marshall) before Judge T. John Ward. Mediation Completion due by 4/15/2005. Dispositive/Daubert Motions due by 6/6/2005. Proposed Pretrial Order due by 6/20/2005..

Signed by Judge T. John Ward on 5/18/04. (ktd, ) (Entered: 05/19/2004)

06/02/2004 59 TRANSCRIPT of Scheduling Conference Proceedings held on 5/18/04 at 1:00 p.m. in Marshall, Tx before Hon. Judge T. John Ward. Court Reporter: Susan Simmons. (ch, ) (Entered: 06/02/2004)

06/03/2004 60 ORDER granting 2 Motion for Leave to File Excess Pages, granting 41 Motion to Amend/Correct . Signed by Judge T. John Ward on 6/2/04. (ktd, ) (Entered: 06/04/2004)

06/03/2004 61 FIRST AMENDED COMPLAINT for patent infringement, injunctive relief, damages, and demand for jury trial against Seven Networks Inc (exhibits not scanned), filed by Visto Corporation. (ktd, ) (Entered: 06/04/2004)

06/03/2004 68 MOTION for Preliminary Injunction by Visto Corporation. (Attachments: # 1 Exhibit)(ktd, ) (Entered: 07/01/2004)

06/10/2004 62 ANSWER to FIRST Amended Complaint, COUNTERCLAIM against Visto Corporation by Seven Networks Inc.(ktd, ) (Entered: 06/15/2004)

06/15/2004 63 REPLY to 62 Counterclaim by Visto Corporation.(ktd, ) (Entered: 06/17/2004)

06/18/2004 64 NOTICE of Initial Disclosure by Seven Networks Inc (mpv, ) (Entered: 06/22/2004)

06/23/2004 65 NOTICE of Disclosure by Visto Corporation (ktd, ) (Entered: 06/25/2004)

06/23/2004 66 MOTION for Leave to File Excess Pages for SUPPLEMENT to motion for prelim injunction by Visto Corporation. (ktd, ) (Entered: 06/25/2004)

06/30/2004 67 ORDER granting 66 Motion for Leave to File Excess Pages . Signed by Judge T. John Ward on 6/29/04. (ktd, ) (Entered: 06/30/2004)

06/30/2004 69 FILED UNDER SEAL SUPPLEMENT to 68 motion for preliminary injunction filed by Visto Corporation. (ktd, ) (Entered: 07/01/2004)

07/08/2004 70 JOINT AGREED MOTION for Leave to File Supplement to the motion for preliminary injunction, amendment to discovery order, and continuance of preliminary injunction hearing by Seven Networks Inc, Visto Corporation. (mpv, ) (Entered: 07/08/2004)

07/13/2004 71 NOTICE of Hearing:Preliminary Injunction Hearing RESET for 10/22/2004 at 9:30 AM in Ctrm 106 (Marshall) before Judge T. John Ward. (shd, ) (Entered: 07/13/2004)

07/19/2004 72 AGREED ORDER granting 70 Motion for Leave to File a supplement to the motion for preliminary injunction, amendment of discovery order, and continuance of preliminary injunction hearing. IT IS THEREFORE, ORDERED: A. Pla's supplement to its motion for preliminary injunction shall be filed with the papers in this case; B. Dft's response to Pla's supplement to its motion for preliminary injunction shall be filed on or before 9/17/04; C. Pla's reply to Dft's response shall be filed on or before 10/1/04; D. Dft's surreply, if any, shall be filed on or before 10/8/04; and the motion for preliminary injunction and supplement to its motion for preliminary injunction shall be heard on 10/22/04 at 9:30 a.m. IT IS FURTHER ORDERED that the Dft, Seven Networks, Inc may have the following additional discovery on Pla's supplement to its motion for preliminary injunction which shall not count against the discovery limits previously set by this Court. A. Up to 15 additional Interrogatories; B. Up to 20 additional requests for admissions; and C. Up to 20 additional hours of depositions. Pla, Visto Corp may take discovery concerning matters raised in Dft's response which is to be filed on or before 9/17/04. IT IS FURTHER ORDERED that Visto Corp is hereby GRANTED the right to take discovery concerning matters raised in Dft's response which is to be filed on or before 9/17/04. Signed by Judge T. John Ward on 7/19/04. (mpv, ) (Entered: 07/20/2004)

07/19/2004 -- Set/Reset Deadlines as to 68 MOTION for Preliminary Injunction. Responses due by 9/17/2004 Replies due by 10/1/2004. Motion Hearing set for 10/22/2004 09:30 AM before Judge T. John Ward. Per order #72 (mpv, ) (Entered: 07/20/2004)

07/27/2004 73 NOTICE of Hearing:Preliminary Injunction Hearing RESET for 10/27/2004 at 10:00 AM in Ctrm 106 (Marshall) before Judge T. John Ward. (shd, ) (Entered: 07/27/2004)

09/03/2004 74 MOTION to Stay The Preliminary Injunction Hearing, Opposed Motion to Compel Visto to Provide Disclosure Under Patent Rules 3-1 and 3-2, Opposed Motion to Compel Visto to Answer Interrogatories, Opposed Motion to Compel Answers to Deposition Questions and Brief in Support by Seven Networks Inc. (Attachments: # 1 Appendix # 2 Exhibit Declaration of Robert E. Camors, Jr.# 3 Exhibit A part 1# 4 Exhibit A Part 2 of 2# 5 Exhibit C# 6 Exhibit E# 7 Exhibit F# 8 Exhibit J# 9 Appendix 2# 10 Exhibit Declaration of Dean A. Morehous# 11 Exhibit A# 12 Exhibit B# 13 Exhibit C)(Capshaw, Sidney) (Entered: 09/03/2004)

09/03/2004 75 FILED UNDER SEAL DECLARATION (AFFIDAVIT) of Robert E Camors Jr in support of re 74 MOTION to Stay The Preliminary Injunction Hearing, Opposed Motion to Compel Visto to Provide Disclosure Under Patent Rules 3-1 and 3-2, Opposed Motion to Compel Visto to Answer Interrogatories, Opposed Motion to Compel Answers to Deposition Questio by Seven Networks Inc. (ktd, ) (Entered: 09/08/2004)

09/14/2004 76 AMENDED ANSWER to Fist Amended Complaint for Patent Infringement and, Amended COUNTERCLAIM against Visto Corporation by Seven Networks Inc, Visto Corporation. (Capshaw, Sidney) (Entered: 09/14/2004)



- 09/17/2004 77 MOTION Concerning Defendant Seven Networks' Opposition to Visto's Supplement to its Preliminary Injunction Motion, Agreed by Seven Networks Inc, Visto Corporation.. (Attachments: # 1 Text of Proposed Order)(Capshaw, Sidney) (Entered: 09/17/2004)
- 09/17/2004 78 FILED UNDER SEAL SUPPLEMENTAL MEMORANDUM OF POINTS & AUTHORITIES IN OPPOSITION (RESPONSE) to Motion re 68 MOTION for Preliminary Injunction filed by Seven Networks Inc. (ktd, ) (Entered: 09/17/2004)
- 09/20/2004 79 MOTION for Extension of Time to File Response/Reply to Seven's Motion to Compel by Visto Corporation. (Attachments: # 1 Text of Proposed Order)(Baxter, Samuel) (Entered: 09/20/2004)
- 09/20/2004 80 RESPONSE in Opposition re 74 MOTION to Stay The Preliminary Injunction Hearing, Opposed Motion to Compel Visto to Provide Disclosure Under Patent Rules 3-1 and 3-2, Opposed Motion to Compel Visto to Answer Interrogatories, Opposed Motion to Compel Answers to Deposition Questio filed by Visto Corporation. (Attachments: # 1 Declaration of Eugene Hahm# 2 Exhibit A# 3 Exhibit B# 4 Exhibit C# 5 Exhibit D# 6 Exhibit F# 7 Exhibit G# 8 Exhibit H# 9 Exhibit I) (Baxter, Samuel) (Entered: 09/20/2004)
- 09/20/2004 81 FILED UNDER SEAL EXHIBIT B to the Declaration of Eugene L Hahm in support of Visto's 80 Memorandum in Opposition to Seven's motion to stay the preliminary injunction hearing by Visto Corporation.(ktd, ) (Entered: 09/21/2004)
- 09/20/2004 82 FILED UNDER SEAL EXHIBIT C to the Declaration of Eugene L Hahm in support of Visto's 80 Memorandum in Opposition to Seven's Motion to Stay the Preliminary Injunction hearing by Visto Corporation. (ktd, ) (Entered: 09/21/2004)
- 09/27/2004 83 Supplemental RESPONSE in Opposition re 74 MOTION to Stay The Preliminary Injunction Hearing, Opposed Motion to Compel Visto to Provide Disclosure Under Patent Rules 3-1 and 3-2, Opposed Motion to Compel Visto to Answer Interrogatories, Opposed Motion to Compel Answers to Deposition Questio Supplement Correcting Dates on Page 7 of Visto's Memorandum in Opposition to Seven's Motion to Stay Preliminary Injunction Hearing filed by Visto Corporation. (Attachments: # 1 Exhibit A Amended Declaration of Eugene L. Hahm)(Baxter, Samuel) Modified on 9/29/2004 (fal, ). (Entered: 09/27/2004)
- 09/29/2004 84 ORDER denying as "moot" 12 Motion to Dismiss; denying as "moot" 12 Motion to Strike . Signed by Judge Donald E. Walter on 9/29/04. (ktd, ) (Entered: 09/29/2004)
- 09/29/2004 -- Attorneys Chris Kao; Ahmed Kasem; and Dean A Morehous have been provided with a copy of Gen Order 04-12, together with Attorney Registration Forms (ktd, ) (Entered: 09/29/2004)
- 09/29/2004 85 \*\*\*REPLACES DOCKET ENTRY #\*\*\*REPLACES DOCKET ENTRY #. INCORRECT SIGNING JUDGE. ALL OTHER INFORMATION REMAINS THE SAME.\*\*\* ORDER denying as moot \*\*\*REPLACES DOCKET ENTRY #\*\*\*REPLACES DOCKET ENTRY #. INCORRECT SIGNING JUDGE. ALL OTHER INFORMATION REMAINS THE SAME.\*\*\* motion to dismiss and to strike . Signed by Judge T. John Ward on 9/29/04. (ktd, ) (Entered: 09/29/2004)
- 09/30/2004 86 FILED UNDER SEAL RESPONSE to Motion re 74 MOTION to Stay The Preliminary Injunction Hearing, Opposed Motion to Compel Visto to Provide Disclosure Under Patent Rules 3-1 and 3-2, Opposed Motion to Compel Visto to Answer Interrogatories, Opposed Motion to Compel Answers to Deposition Questio filed by Visto Corporation. (ktd, ) (Entered: 10/01/2004)
- 10/01/2004 87 MOTION for Leave to File Excess Pages (Seven Networks, Inc.'s Reply to Visto's Opposition to Seven's Motion to Stay Preliminary Injunction Hearing) by Seven Networks Inc. (Attachments: # 1 Text of Proposed Order)(Capshaw, Sidney) (Entered: 10/01/2004)
- 10/01/2004 88 FILED UNDER SEAL SUPPLEMENTAL REPLY BRIEF to Response to Motion re 68 MOTION for Preliminary Injunction & supplement thereto filed by Visto Corporation. (ktd, ) (Entered: 10/04/2004)
- 10/08/2004 89 MOTION for Leave to File Excess Pages Unopposed Motion for Leave to Exceed Page Limits to File Defendant Seven Networks, Inc.'s Sur-reply to Plaintiff Visto Corporation's Supplemental Reply Brief in Support of Motion for Preliminary Injunction by Seven Networks Inc. (Attachments: # 1 Exhibit A# 2 Text of Proposed Order)(Capshaw, Sidney) (Entered: 10/08/2004)
- 10/08/2004 95 FILED UNDER SEAL UNOPPOSED MOTION for Leave to File Excess Pages for its SUR-REPLY in opposition to Seven's 74 motion to stay preliminary injunction hearing by Visto Corporation. (ktd, ) (Entered: 10/20/2004)
- 10/12/2004 90 SUR-REPLY to Plt's Visto Corp's Supplememtal Reply Brief in Support of Motion re 14 Motion for Miscellaneous Relief filed by Seven Networks Inc. (ehs, ) (Entered: 10/12/2004)
- 10/12/2004 91 MOTION for Leave to File Excess Pages (Defendant's Unopposed Motion for Leave to Exceed Page Limits to File Defendant Seven Networks, Inc.'s Reply to Visto's Opposition to Seven Networks, Inc.'s Motion to Compel) by Seven Networks Inc. (Attachments: # 1 Exhibit A Part 1# 2 Exhibit Exhibit A - Part 2# 3 Text of Proposed Order)(Capshaw, Sidney) (Entered: 10/12/2004)
- 10/13/2004 92 ORDER granting 89 Motion for Leave to File Excess Pages . Signed by Judge T. John Ward on 10/13/04. (ktd, ) (Entered: 10/13/2004)

10/14/2004 94 FILED UNDER SEAL SUR-REPLY to Response to Motion re 68 MOTION for Preliminary Injunction filed by Seven Networks Inc. (ktd, ) (Entered: 10/20/2004)

10/19/2004 93 ORDER granting 91 Motion for Leave to File Excess Pages . Signed by Judge T. John Ward on 10/19/04. (ktd, ) (Entered: 10/19/2004)

10/22/2004 96 MOTION to Withdraw Opposed Motion to Stay the Preliminary Injunction Hearing, Opposed Motion to Compel Visto to Provide Disclosure Under Patent Rules 3-1 and 3-2, Opposed Motion to Compel Visto to Answer Interrogatories, Opposed Motion to Compel Answers to Deposition Questions and Brief in Support by Seven Networks Inc. (Attachments: # 1 Text of Proposed Order)(Capshaw, Sidney) (Entered: 10/22/2004)

11/09/2004 97 ORDER denying as "moot" 74 Motion to Stay/Motion to Compel . Signed by Judge T. John Ward on 11/8/04. (ktd, ) (Entered: 11/09/2004)

11/10/2004 98 MOTION for Extension of Time to File Agreed Motion for Extension of Time for Plaintiff, Visto Corporation, and Defendant Seven Networks, Inc. to Exchange Preliminary Claim Constructions Pursuant to P.R. 4-2 and to Submit Joint Claim Construction and Prehearing Statement Pursuant to P. R. 4-3 by Seven Networks Inc, Visto Corporation. (Attachments: # 1 Text of Proposed Order)(Capshaw, Sidney) (Entered: 11/10/2004)

11/15/2004 99 NOTICE of Attorney Appearance by Samuel Franklin Baxter on behalf of Visto Corporation (Baxter, Samuel) (Entered: 11/15/2004)

11/24/2004 100 Joint MOTION to Extend Time to Exchange PR 4-2 Preliminary Claim Constructions by Visto Corporation. (Thomas, Kristi) Additional attachment(s) added on 11/29/2004 (fal, ). (Entered: 11/24/2004)

12/08/2004 101 NOTICE of Hearing:Hearing on preliminary injunction set for 1/26/2005 at 9:30 AM in Ctrm 106 (Marshall) before Judge T. John Ward. (shd, ) (Entered: 12/08/2004)

12/08/2004 102 ORDER granting 98 Motion for Extension of Time to comply with P.R. 4-2 and 4-3; deadlines are set forth herein. Signed by Judge T. John Ward on 12/8/04. (ktd, ) (Entered: 12/08/2004)

12/09/2004 103 Defendant Seven Networks, Inc.'s Second Amended ANSWER to Amended Complaint, COUNTERCLAIM against Visto Corporation by Seven Networks Inc.(Capshaw, Sidney) (Entered: 12/09/2004)

12/20/2004 104 MOTION for Extension of Mediation Deadline, Agreed by Seven Networks Inc. (Attachments: # 1 Text of Proposed Order)(Capshaw, Sidney) (Entered: 12/20/2004)

12/20/2004 105 MOTION for Extension of Time for Plaintiff Visto Corporation, and Defendant, Seven Networks, Inc. to File Joint Claim Construction and Prehearing Statement Pursuant to P.R. 4-3, and to Extend the Claim Construction Discovery Deadline Pursuant to P.R. 4-4, Agreed by Seven Networks Inc. (Attachments: # 1 Text of Proposed Order)(Capshaw, Sidney) (Entered: 12/20/2004)

12/22/2004 106 ANSWER to Counterclaim by Visto Corporation.(Baxter, Samuel) (Entered: 12/22/2004)

12/27/2004 107 MOTION for Leave to File (Agreed Motion for Leave to File Plaintiff's, Visto Corporation and Defendant's, Seven Networks, Inc., Joint Claim Construction and Prehearing Statement) by Visto Corporation, Seven Networks Inc. (Attachments: # 1 Exhibit A# 2 Text of Proposed Order)(Capshaw, Sidney) (Entered: 12/27/2004)

01/03/2005 108 ORDER granting 104 Motion extend mediation deadline. Deadline to mediate is extended from 4/15/05 to 5/15/05 . Signed by Judge T. John Ward on 1/3/05. (ehs) (Entered: 01/03/2005)

01/03/2005 109 ORDER granting 105 Motion for extension of time for pltf to file their Joint Claim Construction and Prehearing Statement and to complete discovery. Time extended from 12/20/04 to 12/23/04 and for close of claim construction discovery to be extended from 1/12/05 to 2/13/05 . Signed by Judge T. John Ward on 1/3/05. (ehs) (Entered: 01/03/2005)

01/03/2005 110 ORDER granting 107 Motion for Leave to File joint claim construction and prehearing satement. Signed by Judge T. John Ward on 1/3/05. (ehs) (Entered: 01/03/2005)

01/04/2005 111 NOTICE of Hearing:Preliminary Injunction Hearing RESET for 1/25/2005 at 9:00 AM in Ctrm 106 (Marshall) before Judge T. John Ward. (shd, ) (Entered: 01/04/2005)

01/24/2005 112 \*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\* BRIEF filed Plaintiff Visto Corporation's Opening Claim Construction Brief by Visto Corporation. (Attachments: # \*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\* Exhibit A - Part 1# \*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\* Exhibit A - Part 2# \*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\* Exhibit A - Part 3# \*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\* Exhibit A - Part 4# \*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\* Exhibit B# \*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\* Exhibit C# \*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\* Exhibit D)(Baxter, Samuel) Modified on 1/25/2005 (poa, ). (Entered: 01/24/2005)

- 01/24/2005 113 \*\*\*REPLACES DOCUMENT #\*\*\*REPLACES DOCUMENT #WHICH WAS FILED IN ERROR. \*\*\* BRIEF filed Plaintiff Visto Corporation's Opening Claim Construction Brief by Visto Corporation. (Attachments: # \*\*\*REPLACES DOCUMENT #\*\*\*REPLACES DOCUMENT #WHICH WAS FILED IN ERROR. \*\*\* Exhibit A - Part 1# \*\*\*REPLACES DOCUMENT #\*\*\*REPLACES DOCUMENT #WHICH WAS FILED IN ERROR. \*\*\* Exhibit A - Part 2# \*\*\*REPLACES DOCUMENT #\*\*\*REPLACES DOCUMENT #WHICH WAS FILED IN ERROR. \*\*\* Exhibit A - Part 3# \*\*\*REPLACES DOCUMENT #\*\*\*REPLACES DOCUMENT #WHICH WAS FILED IN ERROR. \*\*\* Exhibit A - Part 4# \*\*\*REPLACES DOCUMENT #\*\*\*REPLACES DOCUMENT #WHICH WAS FILED IN ERROR. \*\*\* Exhibit B# \*\*\*REPLACES DOCUMENT #\*\*\*REPLACES DOCUMENT #WHICH WAS FILED IN ERROR. \*\*\* Exhibit C# \*\*\*REPLACES DOCUMENT #\*\*\*REPLACES DOCUMENT #WHICH WAS FILED IN ERROR. \*\*\* Exhibit D)(Baxter, Samuel) Modified on 1/25/2005 (poa, ). (Entered: 01/24/2005)
- 01/25/2005 114 SUPPLEMENTAL DECLARATION of Daniel Mendez in support of Motion re 68 MOTION for Preliminary Injunction filed by Visto Corporation. (ehs) (Entered: 01/25/2005)
- 01/25/2005 117 Minute Entry for proceedings held before Judge T. John Ward : Hearing on preliminary injunction held on 1/25/2005. (Court Reporter Glenda Fuller.) (shd, ) (Entered: 01/31/2005)
- 01/27/2005 115 ORDER cancelling Jury selection set for 7/5/2005 and Pretrial conf set for 6/30/05. RESET hearings as set forth herein. Motions in Limine due by 6/22/2005. Final Pretrial Conference set for 6/27/2005 04:00 PM before Judge T. John Ward. Jury Selection set for 6/29/2005 09:00AM before Judge T. John Ward. Signed by Judge T. John Ward on 1/27/05. (ehs) (Entered: 01/27/2005)
- 01/31/2005 116 ORDER denying 68 Visto's Motion for Preliminary Injunction . Signed by Judge T. John Ward on 1/31/05. (ehs) (Entered: 01/31/2005)
- 02/07/2005 118 BRIEF filed (Defendant Seven Networks' Responsive Claim Construction Brief) by Seven Networks Inc. (Attachments: # 1 Appendix 1# 2 Exhibit 1# 3 Exhibit 2# 4 Exhibit 3# 5 Exhibit 4# 6 Exhibit 5# 7 Exhibit 6# 8 Exhibit 7# 9 Exhibit 8# 10 Exhibit 9# 11 Exhibit 10# 12 Exhibit 11# 13 Exhibit 12# 14 Exhibit 13# 15 Exhibit 14# 16 Exhibit 15# 17 Exhibit 16# 18 Exhibit 17# 19 Exhibit 18# 20 Exhibit 19# 21 Exhibit 20# 22 Exhibit 21# 23 Exhibit 22# 24 Appendix 2)(Capshaw, Sidney) (Entered: 02/07/2005)
- 02/14/2005 119 BRIEF filed Reply Brief in Support of Claim Construction by Visto Corporation. (Baxter, Samuel) (Entered: 02/14/2005)
- 02/17/2005 120 TRANSCRIPT of Preliminary Injunction Proceedings held on January 25, 2005 before Judge T. John Ward. Court Reporter: Glenda Fuller. (ehs) (Entered: 02/17/2005)
- 02/17/2005 121 APPLICATION to Appear Pro Hac Vice by Attorney David L Bilsker for Seven Networks Inc. (poa, ) (Entered: 02/17/2005)
- 02/17/2005 -- Pro Hac Vice Filing fee paid by David Bilsker; Fee: \$25, receipt number: 2-1-23 (poa, ) (Entered: 02/17/2005)
- 02/18/2005 122 \*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT #\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT #\*\*\* APPLICATION to Appear Pro Hac Vice by Attorney David T Shvodian for Seven Networks Inc. (ch, ) Modified on 2/24/2005 (ehs). (Entered: 02/24/2005)
- 02/18/2005 123 APPLICATION to Appear Pro Hac Vice by Attorney James F Valentine for Seven Networks Inc. (ch, ) (Entered: 02/24/2005)
- 02/18/2005 124 APPLICATION to Appear Pro Hac Vice by Attorney Thomas C Mavrakakis for Seven Networks Inc. (ch, ) (Entered: 02/24/2005)
- 02/18/2005 -- Pro Hac Vice Filing fee paid by Shvodian, Mavrakakis, Valentine; Fee: \$75.00, receipt number: 2-1-27 (ch, ) (Entered: 02/24/2005)
- 02/18/2005 125 \*\*\*REPLACES DOCUMENT #\*\*\*REPLACES DOCUMENT # WHICH WAS FILED IN ERROR\*\*\* APPLICATION to Appear Pro Hac Vice by Attorney Daniel T Shvodian for Seven Networks Inc. (ch, ) Modified on 2/24/2005 (ehs) (Entered: 02/24/2005)
- 03/03/2005 126 NOTICE of Attorney Appearance by Henry Charles Bunsow on behalf of Seven Networks Inc (Bunsow, Henry) (Entered: 03/03/2005)
- 03/03/2005 127 NOTICE of Attorney Appearance by Korula T Cherian on behalf of Seven Networks Inc (Cherian, Korula) (Entered: 03/03/2005)
- 03/08/2005 128 ORDER denying 40 Motion to Strike, finding as moot 43 Motion to Strike preliminary claim construction . Signed by Judge T. John Ward on 3/8/05. (ehs) (Entered: 03/08/2005)
- 03/09/2005 129 BRIEF filed (Joint Claim Construction and Prehearing Statement of Plaintiff Visto Corporation and Defendant Seven Networks, Inc.) by Visto Corporation, Seven Networks Inc. (Capshaw, Sidney) (Entered: 03/09/2005)
- 03/14/2005 131 Minute Entry for proceedings held before Judge T. John Ward : Markman Hearing held on 3/14/2005 in Marshall, TX. (Court Reporter Susan Simmons.) (shd, ) (Entered: 03/22/2005)
- 03/15/2005 130 Consent MOTION to Amend/Correct 55 Scheduling Order,, (Agreed Motion for Modification to Docket Control Order) by Seven Networks Inc. (Attachments: # 1 Text of Proposed Order)

- (Capshaw, Sidney) (Entered: 03/15/2005)
- 03/22/2005 132 TRANSCRIPT of Claim Construction Hearing Proceedings held on 3/14/05 at 9:00 a.m. in Marshall; before Honorable Judge T. John Ward. Court Reporter: Susan Simmons. (ch, ) (Entered: 03/22/2005)
- 04/05/2005 133 AMENDED DOCKET CONTROL ORDER, pretrial deadlines are set forth herein. Proposed Pretrial Order due by 6/27/2005. Jury Selection set for 7/12/2005 02:00PM before Judge T. John Ward. Pretrial Conference set for 7/11/2005 03:00 PM before Judge T. John Ward. Signed by Judge T. John Ward on 4/5/05. (ehs) (Entered: 04/05/2005)
- 04/06/2005 134 Emergency MOTION for Protective Order Emergency Motion for Modification of the Protective Order by Visto Corporation. (Attachments: # 1 Affidavit # 2 Exhibit A# 3 Exhibit B# 4 Exhibit C# 5 Exhibit D# 6 Exhibit E# 7 Exhibit F# 8 Exhibit G# 9 Exhibit H# 10 Exhibit I# 11 Text of Proposed Order)(Baxter, Samuel) (Entered: 04/06/2005)
- 04/08/2005 135 RESPONSE in Opposition re 134 Emergency MOTION for Protective Order Emergency Motion for Modification of the Protective Order filed by Seven Networks Inc. (Valentine, James) (Entered: 04/08/2005)
- 04/08/2005 136 AFFIDAVIT In Opposition re 134 Emergency MOTION for Protective Order Emergency Motion for Modification of the Protective Order of James C. Pistorino filed by Seven Networks Inc. (Valentine, James) (Entered: 04/08/2005)
- 04/08/2005 137 AFFIDAVIT in Opposition re 134 Emergency MOTION for Protective Order Emergency Motion for Modification of the Protective Order of Robert E. Camors, Jr. filed by Seven Networks Inc. (Valentine, James) (Entered: 04/08/2005)
- 04/08/2005 138 AFFIDAVIT in Opposition re 134 Emergency MOTION for Protective Order Emergency Motion for Modification of the Protective Order of Steven Tsang filed by Seven Networks Inc. (Valentine, James) (Entered: 04/08/2005)
- 04/08/2005 139 AFFIDAVIT in Opposition re 134 Emergency MOTION for Protective Order Emergency Motion for Modification of the Protective Order of Brian Gustafson filed by Seven Networks Inc. (Valentine, James) (Entered: 04/08/2005)
- 04/11/2005 140 ORDER Setting Hearing on Motion 134 Emergency MOTION for Protective Order Emergency Motion for Modification of the Protective Order: Motion Hearing set for telephonic hearing on 4/13/2005 11:30 AM before Judge T. John Ward. Signed by Judge T. John Ward on 4/11/05. (ehs) (Entered: 04/11/2005)
- 04/11/2005 141 REPLY to Response to Motion re 134 Emergency MOTION for Protective Order Emergency Motion for Modification of the Protective Order filed by Visto Corporation. (Attachments: # 1 Affidavit Declaration of Greg Warder# 2 Declaration of Martin Haeblerl# 3 Affidavit Declaration of Edward Quon)(Baxter, Samuel) (Entered: 04/11/2005)
- 04/13/2005 142 ORDER granting 134 Motion for Protective Order as set forth herein. Signed by Judge T. John Ward on 4/13/05. (ehs) (Entered: 04/13/2005)
- 04/13/2005 143 ORDER setting a Show Cause hearing - with Mr. Pistorino to be present at this hearing. Show Cause Hearing set for 4/25/2005 10:30 AM before Judge T. John Ward.. Signed by Judge T. John Ward on 4/13/05. (ehs) (Entered: 04/13/2005)
- 04/13/2005 144 Minute Entry for proceedings held before Judge T. John Ward : Telephone Conference on emergency motion for protective order held on 4/13/2005. (Court Reporter Susan Simmons.) (shd, ) (Entered: 04/18/2005)
- 04/20/2005 145 ORDER - The Court issues this opinion to construe the claims of the various patents in suit as set forth herein. Signed by Judge T. John Ward on 4/20/05. (ehs) (Entered: 04/20/2005)
- 04/20/2005 146 RESPONSE TO ORDER TO SHOW CAUSE by Seven Networks Inc. (Pistorino, James) (Entered: 04/20/2005)
- 04/22/2005 147 ORDER Cancelling and RESETTING time as to the Show Cause Hearing set for 4/25/2005 02:00 PM before Judge T. John Ward. Signed by Judge T. John Ward on 4/22/05. (ehs) (Entered: 04/22/2005)
- 04/22/2005 148 MOTION for Sanctions Pursuant to Fed. R. Civ. P. 37(c) by Visto Corporation. (Attachments: # 1 Affidavit # 2 Exhibit A# 3 Exhibit B# 4 Exhibit C# 5 Exhibit D# 6 Exhibit E# 7 Exhibit F# 8 Exhibit G# 9 Exhibit H# 10 Exhibit I# 11 Exhibit J# 12 Exhibit K# 13 Exhibit L# 14 Exhibit M# 15 Exhibit N# 16 Exhibit O# 17 Exhibit P# 18 Exhibit Q# 19 Exhibit R# 20 Exhibit S# 21 Text of Proposed Order)(Baxter, Samuel) (Entered: 04/22/2005)
- 04/22/2005 149 FILED UNDER SEAL - EXHIBIT R to Visto's motion Pursuant to Fed R Civ P 37(c) by Visto Corporation. (ehs) (Entered: 04/22/2005)
- 04/25/2005 150 Minute Entry for proceedings held before Judge T. John Ward : Show Cause Hearing held on 4/25/2005 in Marshall. (Court Reporter Susan Simmons.) (shd, ) (Entered: 04/26/2005)
- 04/25/2005 151 APPLICATION to Appear Pro Hac Vice by Attorney Michelle Gillette for Visto Corporation. (poa, ) (Entered: 04/27/2005)
- 04/25/2005 152 APPLICATION to Appear Pro Hac Vice by Attorney Greg Travis Warder for Visto Corporation.



- (poa, ) (Entered: 04/27/2005)
- 04/25/2005 -- Pro Hac Vice Filing fee paid by Gillette & Warder; Fee: \$50., receipt number: 2-1-189 (poa, ) (Entered: 04/27/2005)
- 05/03/2005 154 APPLICATION to Appear Pro Hac Vice by Attorney Christopher L Kelley for Seven Networks Inc. (ch, ) (Entered: 05/09/2005)
- 05/03/2005 155 APPLICATION to Appear Pro Hac Vice by Attorney Matthew E Hocker for Seven Networks Inc. (ch, ) (Entered: 05/09/2005)
- 05/03/2005 -- Pro Hac Vice Filing fee paid by Kelley, Hocker; Fee: \$50., receipt number: 2-1-213 (ch, ) (Entered: 05/09/2005)
- 05/04/2005 153 Consent MOTION for Leave to File Excess Pages (Defendant's Unopposed Motion for Leave to Exceed Page Limits to File Defendant Seven Networks, Inc.'s Opposition to Visto Corporation's Motion for Sanctions Pursuant to Fed. R. Civ. P. 37(c)) by Seven Networks Inc. (Attachments: # 1 Exhibit A Seven's Opposition to Visto's Motion for Sanctions# 2 Declaration of Camors to Seven's Opposition to Visto's Motion for Sanctions# 3 Exhibits to Camors' Declaration# 4 Declaration of Pistorino# 5 Pistorino Declaration Exhibits# 6 Valentine Declaration# 7 Valentine Declaration Exhibits# 8 Hocker Declaration# 9 Hocker Declaration Exhibits# 10 Text of Proposed Order Motion to Exceed the Page Limits)(Capshaw, Sidney) (Entered: 05/04/2005)
- 05/10/2005 156 \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\* MOTION for Sanctions Visto's Corrected Motion Pursuant to Fed. R. Civ. P. 37 (c) by Visto Corporation. (Attachments: # \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\* Exhibit A# \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\* Exhibit B# \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\* Exhibit C# \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\* Exhibit D# \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\* Exhibit E# \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\* Exhibit F# \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\* Exhibit G# \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\* Exhibit H# \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\* Exhibit I# \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\* Exhibit J# \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\* Exhibit K# \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\* Exhibit L# \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\* Exhibit M# \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\* Exhibit N# \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\* Exhibit O# \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\* Exhibit P# \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\* Exhibit Q# \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\* Exhibit R# \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\* Exhibit S# \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\*FILED IN ERROR. SEE CORRECTED DOCUMENT \*\*\*\* Text of Proposed Order) (Baxter, Samuel) Modified on 5/11/2005 (ehs, ). (Entered: 05/10/2005)
- 05/10/2005 157 EXHIBIT R to Visto's #158 corrected motion pursuant to FED.R.CIV.P.37(c) by Visto Corporation. (ehs) Modified on 5/11/2005 (ehs). (Entered: 05/11/2005)
- 05/11/2005 158 \*\*\*\*REPLACES DOCUMENT \*\*\*\*REPLACES DOCUMENT \*\*\*\*WHICH WAS FILED IN ERROR\*\*\*\* MOTION to Compel VISTO'S CORRECTED MOTION PURSUANT TO FED. R. CIV.P. 37(c) by Visto Corporation. (Attachments: # \*\*\*\*REPLACES DOCUMENT \*\*\*\*REPLACES DOCUMENT \*\*\*\*WHICH WAS FILED IN ERROR\*\*\*\* Affidavit Declaration of Michelle Gillette# \*\*\*\*REPLACES DOCUMENT \*\*\*\*REPLACES DOCUMENT \*\*\*\*WHICH WAS FILED IN ERROR\*\*\*\* Exhibit A# \*\*\*\*REPLACES DOCUMENT \*\*\*\*REPLACES DOCUMENT \*\*\*\*WHICH WAS FILED IN ERROR\*\*\*\* Exhibit B# \*\*\*\*REPLACES DOCUMENT \*\*\*\*REPLACES DOCUMENT \*\*\*\*WHICH WAS FILED IN ERROR\*\*\*\* Exhibit C# \*\*\*\*REPLACES DOCUMENT \*\*\*\*REPLACES DOCUMENT \*\*\*\*WHICH WAS FILED IN ERROR\*\*\*\* Exhibit D# \*\*\*\*REPLACES DOCUMENT \*\*\*\*REPLACES DOCUMENT \*\*\*\*WHICH WAS FILED IN ERROR\*\*\*\* Exhibit E# \*\*\*\*REPLACES DOCUMENT \*\*\*\*REPLACES DOCUMENT \*\*\*\*WHICH WAS FILED IN ERROR\*\*\*\* Exhibit F# \*\*\*\*REPLACES DOCUMENT \*\*\*\*REPLACES DOCUMENT \*\*\*\*WHICH WAS FILED IN ERROR\*\*\*\* Exhibit G# \*\*\*\*REPLACES DOCUMENT \*\*\*\*REPLACES DOCUMENT \*\*\*\*WHICH WAS FILED IN ERROR\*\*\*\* Exhibit H# \*\*\*\*REPLACES DOCUMENT \*\*\*\*REPLACES DOCUMENT \*\*\*\*WHICH WAS FILED IN ERROR\*\*\*\* Exhibit I# \*\*\*\*REPLACES DOCUMENT \*\*\*\*REPLACES DOCUMENT \*\*\*\*WHICH WAS FILED IN ERROR\*\*\*\* Exhibit J# \*\*\*\*REPLACES DOCUMENT \*\*\*\*REPLACES DOCUMENT \*\*\*\*WHICH WAS FILED IN ERROR\*\*\*\* Exhibit K# \*\*\*\*REPLACES DOCUMENT \*\*\*\*REPLACES DOCUMENT \*\*\*\*WHICH WAS FILED IN ERROR\*\*\*\* Exhibit L# \*\*\*\*REPLACES DOCUMENT \*\*\*\*REPLACES DOCUMENT \*\*\*\*WHICH WAS FILED IN ERROR\*\*\*\* Exhibit M# \*\*\*\*REPLACES DOCUMENT \*\*\*\*REPLACES DOCUMENT \*\*\*\*WHICH WAS FILED IN ERROR\*\*\*\* Exhibit N# \*\*\*\*REPLACES

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 \*\*\*\*WHICH WAS FILED IN ERROR\*\*\* Exhibit S# \*\*\*REPLACES DOCUMENT \*\*\*\*REPLACES  
 DOCUMENT \*\*\*\*WHICH WAS FILED IN ERROR\*\*\* Text of Proposed Order)(Baxter, Samuel)  
 Modified on 5/11/2005 (ehs, ). (Entered: 05/11/2005)

05/11/2005 159 FILED UNDER SEAL - MOTION for Protective Order and Application for an order to show cause by Seven Networks Inc. (ehs) (Entered: 05/11/2005)

05/11/2005 160 MOTION to Amend/Correct (Seven Networks, Inc.'s Motion for Leave to Amend its Preliminary Invalidity Contentions) by Seven Networks Inc. (Attachments: # 1 Supplemental Declaration of James C. Pistorino# 2 Exhibit A# 3 Exhibit B Part 1 of 2# 4 Exhibit B Part 2 of 2# 5 Exhibit C# 6 Exhibit D Part 1# 7 Exhibit D Part 2# 8 Exhibit E# 9 Text of Proposed Order)(Capshaw, Sidney) (Entered: 05/11/2005)

05/11/2005 161 RESPONSE in Support re 148 MOTION for Sanctions Pursuant to Fed. R. Civ. P. 37(c) filed by Visto Corporation. (Attachments: #(1) Affidavit Declaration of Edward S. Quon #(2) Exhibit A #(3) Exhibit B #(4) Exhibit C #(5) Exhibit H #(6) Exhibit J #(7) Exhibit K #(8) Exhibit L #(9) Exhibit M #(10) Exhibit N #(11) Exhibit O)(Baxter, Samuel) Modified on 5/11/2005 (ehs, ). EXHIBITS D, E, F, G & I FILED UNDER SEAL (Entered: 05/11/2005)

05/11/2005 162 FILED UNDER SEAL - EXHIBITS D,E,F,G and I as to Visto's reply brief RE: Motion Pursuant to Rule 37(c). (ehs) (Entered: 05/12/2005)

05/12/2005 163 Consent MOTION to Withdraw (Agreed Motion to Withdraw Certain Discovery Motions) by Seven Networks Inc. (Attachments: # 1 Text of Proposed Order)(Capshaw, Sidney) (Entered: 05/12/2005)

05/16/2005 164 ORDER withdrawing 158 Motion to Compel, withdrawing 159 Motion for Protective Order, granting 160 Motion to Amend/Correct, granting 163 Motion to Withdraw . Signed by Judge T. John Ward on 5/16/05. (ehs) (Entered: 05/17/2005)

05/25/2005 176 APPLICATION to Appear Pro Hac Vice by Attorney Andrew Y Piatnicia for Seven Networks Inc. (ch, ) (Entered: 06/06/2005)

05/26/2005 -- Pro Hac Vice Filing fee paid by Piatnicia; Fee: \$25, receipt number: 2-1-287 (ch, ) (Entered: 06/06/2005)

05/27/2005 165 MOTION for Summary Judgment by Seven Networks Inc. (Attachments: # 1 MSJ brief - part 2# 2 MSJ brief - part 3# 3 MSJ brief - part 4# 4 MSJ brief - part 5# 5 MSJ brief - part 6) (Pistorino, James) Additional attachment(s) added on 6/1/2005 (fal, ). (Entered: 05/27/2005)

05/27/2005 166 Additional Attachments to Main Document: 165 MOTION for Summary Judgment.. (Attachments: # 1 Anderson Decl. - part 2# 2 Anderson Decl. - part 3# 3 Anderson Decl. - part 4# 4 Anderson Decl. - part 5)(Pistorino, James) (Entered: 05/27/2005)

05/27/2005 167 Additional Attachments to Main Document: 165 MOTION for Summary Judgment.. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D)(Pistorino, James) (Entered: 05/27/2005)

05/27/2005 168 Additional Attachments to Main Document: 167 Additional Attachments to Main Document.. (Pistorino, James) (Entered: 05/27/2005)

05/27/2005 169 Additional Attachments to Main Document: 167 Additional Attachments to Main Document.. (Pistorino, James) (Entered: 05/27/2005)

05/27/2005 170 Additional Attachments to Main Document: 167 Additional Attachments to Main Document.. (Pistorino, James) (Entered: 05/27/2005)

05/27/2005 171 Additional Attachments to Main Document: 167 Additional Attachments to Main Document.. (Pistorino, James) (Entered: 05/27/2005)

05/27/2005 172 Additional Attachments to Main Document: 167 Additional Attachments to Main Document.. (Attachments: # 1 Exhibit E - part 4# 2 Exhibit E - part 5# 3 Exhibit F# 4 Exhibit G# 5 Exhibit H# 6 Exhibit I)(Pistorino, James) (Entered: 05/27/2005)

05/27/2005 173 Additional Attachments to Main Document: 167 Additional Attachments to Main Document.. (Pistorino, James) (Entered: 05/27/2005)

05/27/2005 174 Additional Attachments to Main Document: 167 Additional Attachments to Main Document.. (Attachments: # 1 Exhibit L# 2 Exhibit M# 3 Exhibit N)(Pistorino, James) (Entered: 05/27/2005)

05/31/2005 175 \*\*\*FILED IN ERROR. PLEASE IGNORE.\*\*\* Additional Attachments to Main Document: \*\*\*FILED IN ERROR. PLEASE IGNORE.\*\*\* MOTION for Summary Judgment.. (Pistorino, James) Modified on 6/1/2005 (fal, ). (Entered: 05/31/2005)

06/01/2005 -- \*\*\*FILED IN ERROR. PLEASE IGNORE Doc #175. Blank orders are not filed as separate documents.\*\*\* (fal, ) (Entered: 06/01/2005)

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**US District Court Civil Docket**

**U.S. District - California Northern  
(San Francisco)**

**3:04cv651**

**Visto Corporation v. Sprokit Technologies, Inc**

**This case was retrieved from the court on Tuesday, May 31, 2005**

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**Date Filed: 02/17/2004**  
**Assigned To: Honorable Edward M Chen**  
**Referred To:**  
**Nature of suit: Patent (830)**  
**Cause: Patent Infringement**  
**Lead Docket: None**  
**Other Docket: None**  
**Jurisdiction: Federal Question**

**Class Code: ADRMOP, AO279, E-Filing, PROTO, REFSET-JL**  
**Closed: no**  
**Statute: 35:271**  
**Jury Demand: Both**  
**Demand Amount: \$0**  
**NOS Description: Patent**

**Litigants**

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Plaintiff

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Counter-Defendant  
[Term: 03/17/2005]

Visto Corporation  
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Sproqit Technologies, Inc  
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Date	#	Proceeding Text
02/17/2004	1	COMPLAINT for Patent Infringement against Sproqit Technologies, Inc. (Filing fee \$ 150; Receipt no. 3356852). Filed by Visto Corporation. (rcs, COURT STAFF) (Filed on 2/17/2004) Additional attachment(s) added on 3/9/2004 (tn, COURT STAFF). Additional attachment(s) added on 3/9/2004 (tn, COURT STAFF). Additional attachment(s) added on 3/9/2004 (tn, COURT STAFF). Additional attachment(s) added on 3/9/2004 (tn, COURT STAFF). (Entered: 02/19/2004)
02/17/2004	2	ADR SCHEDULING ORDER: Case Management Statement due by 7/7/2004. Case Management Conference set for 7/14/2004 01:30 PM. (Attachments: # 1 Standing Order)(rcs, COURT STAFF) (Filed on 2/17/2004) (Entered: 02/19/2004)
02/17/2004	3	Certificate of Interested Entities (rcs, COURT STAFF) (Filed on 2/17/2004) Additional attachment(s) added on 3/9/2004 (tn, COURT STAFF). (Entered: 02/19/2004)
02/17/2004	--	Summons Issued as to Sproqit Technologies, Inc.. (rcs, COURT STAFF) (Filed on 2/17/2004) (Entered: 02/19/2004)
02/17/2004	--	CASE DESIGNATED for Electronic Filing. (rcs, COURT STAFF) (Filed on 2/17/2004) (Entered: 02/19/2004)
02/19/2004	4	REPORT on the filing or determination of an action regarding Patent Infringement (cc: form mailed to register). (rcs, COURT STAFF) (Filed on 2/19/2004) (Entered: 02/19/2004)
03/09/2004	5	MOTION to Dismiss or, in the Alternative, Stay or Transfer; Memorandum of Points and Authorities in Support of Motion filed by Sproqit Technologies, Inc.. Motion Hearing set for 4/21/2004 03:00 PM. (Hankes, Theresa) (Filed on 3/9/2004) (Entered: 03/09/2004)
03/09/2004	6	Declaration of Peter Monsour in Support of Defendant's Motion to Dismiss, Stay or Transfer filed by Sproqit Technologies, Inc.. (Hankes, Theresa) (Filed on 3/9/2004) (Entered: 03/09/2004)
03/09/2004	7	NOTICE by Sproqit Technologies, Inc. of Pendency of Other Action (Hankes, Theresa) (Filed on 3/9/2004) (Entered: 03/09/2004)
03/09/2004	8	Proposed Order by Sproqit Technologies, Inc.. (Hankes, Theresa) (Filed on 3/9/2004) (Entered: 03/09/2004)
03/09/2004	9	SERVICE OF SUMMONS Returned Executed Upon Defendant Sproqit Technologies, Inc., Served Personally to Kaci Taylor, Agent for Corporation Service Co., on 2/18/2004 -- answer due 3/9/2004. (tn, COURT STAFF) (Filed on 3/9/2004) (Entered: 03/10/2004)
03/10/2004	10	CLERK'S NOTICE RE CONSENT OR DECLINATION TO PROCEED BEFORE MAGISTRATE JUDGE; COUNSEL TO RESPOND BY 3/20/04 (bpf, ) (Filed on 3/10/2004) (Entered: 03/10/2004)
03/19/2004	11	CONSENT to Proceed Before a US Magistrate Judge by Visto Corporation.. (Katz, Ronald) (Filed on 3/19/2004) (Entered: 03/19/2004)
03/19/2004	12	APPLICATION For Attorney George Eck For Leave To Appear in Pro Hac Vice [Filing Fee: \$60.00, Receipt No. 3358015] Filed by Defendant Sproqit Technologies, Inc.. (tn, COURT STAFF) (Filed on 3/19/2004) (Entered: 03/22/2004)
03/19/2004	--	RECEIVED ORDER: [Proposed] Order Granting Application for Admission of Attorney Pro Hac Vice re [12] Submitted by Defendant Sproqit Technologies, Inc.. (tn, COURT STAFF) (Filed on 3/19/2004) (Entered: 03/22/2004)
03/19/2004	13	APPLICATION For Attorney Devan V. Padmanabham For Leave To Appear in Pro Hac Vice [Filing



- Fee: \$60.00, Receipt No. 3358015] Filed by Defendant Sproqit Technologies, Inc.. (tn, COURT STAFF) (Filed on 3/19/2004) (Entered: 03/22/2004)
- 03/19/2004 -- RECEIVED ORDER: [Proposed] Order Granting Application for Admission of Attorney Pro Hac Vice re [13] Submitted by Defendant Sproqit Technologies, Inc.. (tn, COURT STAFF) (Filed on 3/19/2004) (Entered: 03/22/2004)
- 03/19/2004 14 APPLICATION For Attorney Paul Robbenolt For Leave to Appear in Pro Hac Vice [Filing Fee: \$60.00, Receipt No. 3358015] Filed by Defendant Sproqit Technologies, Inc.. (tn, COURT STAFF) (Filed on 3/19/2004) (Entered: 03/22/2004)
- 03/19/2004 -- RECEIVED ORDER: [Proposed] Order Granting Application for Admission of Attorney Pro Hac Vice re [14] Submitted by Defendant Sproqit Technologies, Inc.. (tn, COURT STAFF) (Filed on 3/19/2004) (Entered: 03/22/2004)
- 03/23/2004 15 CONSENT to Proceed Before a US Magistrate Judge by Sproqit Technologies, Inc... (Hankes, Theresa) (Filed on 3/23/2004) (Entered: 03/23/2004)
- 03/24/2004 16 CLERK'S NOTICE Continuing Defendant's Motion to Dismiss Hearing from 4/21/04 at 3:00 p.m. to 5/5/2004 03:00 PM. (bpf, COURT STAFF) (Filed on 3/24/2004) (Entered: 03/24/2004)
- 03/25/2004 17 ORDER re [12] MOTION for leave to appear in Pro Hac Vice filed by Sproqit Technologies, Inc. for George Eck. Signed by Judge Edward M. Chen on 3/25/04. (bpf, COURT STAFF) (Filed on 3/25/2004) (Entered: 03/25/2004)
- 03/25/2004 18 ORDER re [14] MOTION for leave to appear in Pro Hac Vice filed by Sproqit Technologies, Inc. for Paul Robbenolt. Signed by Judge Edward M. Chen on 3/25/04. (bpf, COURT STAFF) (Filed on 3/25/2004) (Entered: 03/25/2004)
- 03/25/2004 19 ORDER re [13] MOTION for leave to appear in Pro Hac Vice filed by Sproqit Technologies, Inc. (Devan Padmanabhan. Signed by Judge Edward M. Chen on 3/25/04. (bpf, COURT STAFF) (Filed on 3/25/2004) (Entered: 03/25/2004)
- 03/26/2004 20 Memorandum in Opposition re 5 MOTION to Dismiss or, in the Alternative, Stay or Transfer; Memorandum of Points and Authorities in Support of Motion in Opposition filed by Visto Corporation. (Becker, Robert) (Filed on 3/26/2004) (Entered: 03/26/2004)
- 03/26/2004 21 Declaration of Shawn Hansen in Support of 20 Memorandum in Opposition to Sproqit's Motion to Dismiss or, in the Alternative, Stay or Transfer filed by Visto Corporation. (Attachments: # 1 Exhibit Exhibit A to the Declaration of Shawn Hansen# 2 Exhibit Exhibit B to the Declaration of Shawn Hansen# 3 Exhibit Exhibit C to the Declaration of Shawn Hansen# 4 Exhibit Exhibit D to the Declaration of Shawn Hansen# 5 Exhibit Exhibit E to the Declaration of Shawn Hansen# 6 Exhibit Exhibit F to the Declaration of Shawn Hansen# 7 Exhibit Exhibit G to the Declaration of Shawn Hansen)(Related document(s)20) (Becker, Robert) (Filed on 3/26/2004) (Entered: 03/26/2004)
- 03/29/2004 22 APPLICATION For Attorney Todd R. Trumpold For Leave To Appear in Pro Hac Vice [Filing Fee: \$60.00, Receipt No. 3358271]. Filed by Defendant Sproqit Technologies, Inc.. (tn, COURT STAFF) (Filed on 3/29/2004) (Entered: 03/30/2004)
- 03/29/2004 -- RECEIVED ORDER: [Proposed] Order Granting Application for Admission of Attorney Pro Hac Vice re [22] Submitted by Defendant Sproqit Technologies, Inc.. (tn, COURT STAFF) (Filed on 3/29/2004) (Entered: 03/30/2004)
- 04/01/2004 23 ORDER GRANTING MOTION for leave to appear in Pro Hac Vice filed by Sproqit Technologies, Inc. (Todd R. Trumpold); Signed by Judge Edward M. Chen on 4/1/04. (bpf, COURT STAFF) (Filed on 4/1/2004) (Entered: 04/01/2004)
- 04/16/2004 24 STIPULATION and Order by Sproqit Technologies, Inc.. (Hankes, Theresa) (Filed on 4/16/2004) (Entered: 04/16/2004)
- 04/19/2004 25 Reply Memorandum in Support of Its Motion to Dismiss or, in the Alternative, Stay or Transfer re 5 filed by Sproqit Technologies, Inc.. (Hankes, Theresa) (Filed on 4/19/2004) (Entered: 04/19/2004)
- 04/19/2004 26 Declaration of Todd Trumpold in Support of 25 Defendant's Motion to Dismiss or, in the Alternative, Stay or Transfer filed by Sproqit Technologies, Inc.. (Related document(s)25) (Hankes, Theresa) (Filed on 4/19/2004) (Entered: 04/19/2004)
- 04/19/2004 27 Letter Brief re 25, 26 Motion to Dismiss or, in the Alternative, Stay or Transfer, to Judge Chen filed by Sproqit Technologies, Inc.. (Related document(s)25, 26) (Hankes, Theresa) (Filed on 4/19/2004) (Entered: 04/19/2004)
- 04/20/2004 28 STIPULATION AND ORDER EXTENDING TIME TO FILE REPLY MEMO RE MOTION TO DISMISS BY 4/19/04. Signed by Judge Edward M. Chen on 4/20/04. (bpf, COURT STAFF) (Filed on 4/20/2004) (Entered: 04/20/2004)
- 04/26/2004 29 ORDER Re Sproqit's Letter of April 19, 2004, Requesting Suspension of Hearing on May 5, 2004 re 5 MOTION to Dismiss or, in the Alternative, Stay or Transfer; Memorandum of Points and Authorities in Support of Motion filed by Sproqit Technologies, Inc. The Court GRANTS Sproqit's April 19, 2004 request; motion hearing of May 5, 2004, is VACATED pending the decision of the Minnesota District Court. Signed by Magistrate Judge Edward M. Chen on April 26, 2004.

(emcsec, COURT STAFF) (Filed on 4/26/2004) (Entered: 04/26/2004)

04/26/2004 30 Letter Brief filed by Visto Corporation. (Hansen, Shawn) (Filed on 4/26/2004) (Entered: 04/26/2004)

07/01/2004 31 STIPULATION and [Proposed] Order Continuing Date of Initial Case Management Conference by Visto Corporation. (Hahn, Eugene) (Filed on 7/1/2004) (Entered: 07/01/2004)

07/02/2004 32 STIPULATION AND ORDER CONTINUING DATE OF INITIAL CASE MANAGEMENT CONFERENCE. Signed by Judge Edward M. Chen on 7/2/04. (bpf, COURT STAFF) (Filed on 7/2/2004) (Entered: 07/02/2004)

08/11/2004 33 STIPULATION and [Proposed] Order Continuing Date of Initial Case Management Conference by Visto Corporation. (Hahn, Eugene) (Filed on 8/11/2004) (Entered: 08/11/2004)

08/11/2004 34 STIPULATION AND ORDER CONTINUING DATE OF INITIAL CASE MANAGEMENT CONFERENCE. Signed by Judge Edward M. Chen on August 11, 2004. (emdc1, COURT STAFF) (Filed on 8/11/2004) (Entered: 08/11/2004)

09/30/2004 35 STIPULATION and [Proposed] Order Continuing Date of Initial Case Management Conference by Visto Corporation. (Hahn, Eugene) (Filed on 9/30/2004) (Entered: 09/30/2004)

10/04/2004 36 STIPULATION AND ORDER CONTINUING DATE OF INITIAL CASE MANAGEMENT CONFERENCE. Signed by Judge Edward M. Chen on 10/4/04. (bpf, COURT STAFF) (Filed on 10/4/2004) (Entered: 10/04/2004)

10/04/2004 -- Set/Reset Hearings: Case Management Conference reset for 12/8/2004 01:30 PM. Joint Case Management Conference Statement due 12/1/04. (bpf, COURT STAFF) (Filed on 10/4/2004) (Entered: 10/04/2004)

11/04/2004 37 Letter Brief filed by Visto Corporation. (Attachments: # 1 Attachment 1 to Letter)(Hahn, Eugene) (Filed on 11/4/2004) (Entered: 11/04/2004)

11/12/2004 38 ORDER by Judge Edward M. Chen denying 5 Motion to Dismiss (emdc1, COURT STAFF) (Filed on 11/12/2004) (Entered: 11/12/2004)

11/22/2004 39 CLERK'S NOTICE Case Management Conference reset for 1/5/2005 01:30 PM. Case Management Statement due by 12/29/2004. (bpf, COURT STAFF) (Filed on 11/22/2004) Modified on 12/9/2004 (bpf, COURT STAFF). (Entered: 11/22/2004)

12/09/2004 40 STIPULATION to Extend by Sproqit Technologies, Inc.. (Robbenolt, Paul) (Filed on 12/9/2004) (Entered: 12/09/2004)

12/10/2004 41 ANSWER to Complaint with Jury Demand, COUNTERCLAIM against Visto Corporation by Sproqit Technologies, Inc.. (Robbenolt, Paul) (Filed on 12/10/2004) (Entered: 12/10/2004)

12/13/2004 42 APPLICATION of Attorney Gerald H. Sullivan For Leave To Appear in Pro Hac Vice [Filing Fee: \$60.00, Receipt No. 3366985]. Filed by Defendant Sproqit Technologies, Inc.. (tn, COURT STAFF) (Filed on 12/13/2004) (Entered: 12/16/2004)

12/13/2004 -- RECEIVED order: [Proposed] Order Granting Application For Admission of Attorney Pro Hac Vice re [42] Submitted by Defendant Sproqit Technologies, Inc.. (tn, COURT STAFF) (Filed on 12/13/2004) (Entered: 12/16/2004)

12/13/2004 43 CERTIFICATE OF SERVICE by Sproqit Technologies, Inc. re [42] MOTION for leave to appear in Pro Hac Vice & [proposed] Order. (tn, COURT STAFF) (Filed on 12/13/2004) (Entered: 12/16/2004)

12/20/2004 44 STIPULATION Extending Time to Respond to Counterclaims by Visto Corporation. (Hahn, Eugene) (Filed on 12/20/2004) (Entered: 12/20/2004)

12/27/2004 45 ORDER re [42] MOTION for leave to appear in Pro Hac Vice filed by Sproqit Technologies, Inc., Received Order filed by Sproqit Technologies, Inc., Signed by Judge Edward M. Chen on 12/27/04. (bpf, COURT STAFF) (Filed on 12/27/2004) (Entered: 12/27/2004)

12/28/2004 46 STIPULATION AND ORDER EXTENDING VISTO'S TIME TO RESPOND TO COUNTERCLAIMS. Signed by Judge Edward M. Chen on 12/28/04. (bpf, COURT STAFF) (Filed on 12/28/2004) (Entered: 12/28/2004)

12/29/2004 47 JOINT CASE MANAGEMENT STATEMENT and Proposed Order filed by Visto Corporation. (Hahn, Eugene) (Filed on 12/29/2004) (Entered: 12/29/2004)

01/05/2005 48 CLERK'S NOTICE RESETTING CASE MANAGEMENT CONFERENCE FOR 1/5/05 AT 2:00 PM (bpf, COURT STAFF) (Filed on 1/5/2005) (Entered: 01/05/2005)

01/05/2005 49 Minute Entry: Initial Case Management Conference held on 1/5/2005 before Edward M. Chen. This case is referred to magistrate judge for settlement conference within 90 days. 20-day jury trial set for June 5, 2006 at 8:30 a.m. Court to issue other deadlines in the case management conference order. Case continued to: May 4, 2005 at 2:30 p.m. for Further Status Conference (Date Filed: 1/5/2005). (Tape #2:05-2:29p.) (bpf, COURT STAFF) (Date Filed: 1/5/2005) (Entered: 01/05/2005)

01/11/2005 -- CASE REFERRED to Magistrate Judge James Larson for Settlement (wh, COURT STAFF) (Filed on 1/11/2005) (Entered: 01/11/2005)

- 01/13/2005 50 CASE MANAGEMENT SCHEDULING ORDER: Case Management Statement due by 4/27/2005. Case Management Conference set for 5/4/2005 02:30 PM. Discovery due by 10/28/2005. Jury Trial set for 6/5/2006 08:30 AM in Courtroom C, 15th Floor, San Francisco. Motion Hearing set for 3/15/2006 10:30 AM. Motions due by 2/9/2006. Pretrial Conference set for 5/24/2006 03:00 PM.. Signed by Judge Edward M. Chen on 1/13/05. (bpf, COURT STAFF) (Filed on 1/13/2005) (Entered: 01/13/2005)
- 01/18/2005 51 MOTION to Dismiss Notice of Motion and Motion to Dismiss Sprokit's Counterclaims for Tortious Interference With Prospective Economic Advantage and Defamation filed by Visto Corporation. Motion Hearing set for 2/23/2005 10:30 AM. (Attachments: # 1 Proposed Order)(Hahm, Eugene) (Filed on 1/18/2005) (Entered: 01/18/2005)
- 01/18/2005 52 Declaration of Eugene Hahm in Support of 51 MOTION to Dismiss Notice of Motion and Motion to Dismiss Sprokit's Counterclaims for Tortious Interference With Prospective Economic Advantage and Defamation filed by Visto Corporation. (Attachments: # 1 Exhibit A to Hahm Declaration# 2 Exhibit B to Hahm Declaration)(Related document(s)51) (Hahm, Eugene) (Filed on 1/18/2005) (Entered: 01/18/2005)
- 02/02/2005 53 Memorandum in Opposition re 51 MOTION to Dismiss Notice of Motion and Motion to Dismiss Sprokit's Counterclaims for Tortious Interference With Prospective Economic Advantage and Defamation filed by Sprokit Technologies, Inc., Sprokit Technologies, Inc.. (Robbenolt, Paul) (Filed on 2/2/2005) (Entered: 02/02/2005)
- 02/02/2005 54 \*\*\*E-FILED IN ERROR AS MOTION, REFER TO DOCUMENT 55 \*\*\*\*\* MOTION for Protective Order Stipulated Order for Confidential Treatment of Documents, Testimony and Information filed by Visto Corporation. (Hahm, Eugene) (Filed on 2/2/2005) Modified on 2/8/2005 (bf, COURT STAFF). (Entered: 02/02/2005)
- 02/03/2005 55 STIPULATION Stipulated Order for Confidential Treatment of Documents, Testimony and Information by Visto Corporation. (Hahm, Eugene) (Filed on 2/3/2005) (Entered: 02/03/2005)
- 02/03/2005 56 ORDER - Stipulated Order for Confidential Treatment of Documents, Testimony and Information signed by Magistrate Judge Edward M. Chen - re 54 Motion for Protective Order and 55 Stipulated Order. (emcsec, COURT STAFF) (Filed on 2/3/2005) (Entered: 02/03/2005)
- 02/04/2005 57 NOTICE OF SETTLEMENT CONFERENCE AND SETTLEMENT CONFERENCE ORDER. Signed by Judge James Larson on 2/4/05. (jlsec, COURT STAFF) (Filed on 2/4/2005) (Entered: 02/04/2005)
- 02/09/2005 58 Reply Memorandum re 51 MOTION to Dismiss Notice of Motion and Motion to Dismiss Sprokit's Counterclaims for Tortious Interference With Prospective Economic Advantage and Defamation - Reply Memorandum of Points and Authorities in Support of its 12(b)(6) Motion to Dismiss Sprokit's Counterclaims for Defamation and Tortious Interference with Prospective Economic Advantage filed by Visto Corporation. (Hahm, Eugene) (Filed on 2/9/2005) (Entered: 02/09/2005)
- 02/09/2005 59 OBJECTIONS to re 53 Memorandum in Opposition, Objection to Declaration of Peter Mansour in Support of Sprokit's Opposition to Visto's Motion to Dismiss Tort Counterclaims for Defamation and Tortious Interference with Prospective Economic Advantage by Visto Corporation. (Hahm, Eugene) (Filed on 2/9/2005) (Entered: 02/09/2005)
- 02/16/2005 60 MOTION to Stay Litigation Pending Outcome of Reexamination Proceeding filed by Sprokit Technologies, Inc., Sprokit Technologies, Inc.. Motion Hearing set for 3/23/2005 10:30 AM. (Attachments: # 1 Proposed Order)(Robbenolt, Paul) (Filed on 2/16/2005) (Entered: 02/16/2005)
- 02/16/2005 61 Declaration of Paul J. Robbenolt in Support of 60 MOTION to Stay Litigation Pending Outcome of Reexamination Proceeding filed by Sprokit Technologies, Inc., Sprokit Technologies, Inc.. (Attachments: # 1 # 2 # 3 # 4 # 5 # 6)(Related document(s)60) (Robbenolt, Paul) (Filed on 2/16/2005) (Entered: 02/16/2005)
- 02/23/2005 62 Minute Entry: Motion Hearing held on 2/23/2005 before Edward M. Chen (Date Filed: 2/23/2005) re 51 MOTION to Dismiss Notice of Motion and Motion to Dismiss Sprokit's Counterclaims for Tortious Interference With Prospective Economic Advantage and Defamation filed by Visto Corporation. Cross briefs shall be filed by 3/4/05. Court took matter under submission.,. (Court Reporter Peppina Thompson.) (bpf, COURT STAFF) (Date Filed: 2/23/2005) (Entered: 02/23/2005)
- 03/02/2005 63 COUNTERCLAIM For Patent Infringement of U.S. Patent 6,023,708; Request For Jury Demand against Sprokit Technologies, Inc.. Filed by Visto Corporation. (Attachments: # 1 Exhibit A to Counterclaim)(Hahm, Eugene) (Filed on 3/2/2005) (Entered: 03/02/2005)
- 03/02/2005 64 MOTION for Leave to File Notice of Motion and Motion for Leave to File First Amended Complaint Under Fed. R. Civ. Proc. 15(a); Memorandum of Points and Authorities in Support Thereof filed by Visto Corporation. Motion Hearing set for 4/6/2005 10:30 AM. (Attachments: # 1 Exhibit A to Motion - First Amended Complaint for Patent Infringement; Injunctive Relief; Damages; Demand for Jury Trial# 2 Attachment 1 to Exhibit A# 3 Attachment 2 to Exhibit A# 4 Attachment 3 to Exhibit A# 5 Attachment 4 to Exhibit A# 6 Proposed Order Granting Motion for Leave to File First Amended Complaint)(Hahm, Eugene) (Filed on 3/2/2005) (Entered: 03/02/2005)



- 03/02/2005 65 Memorandum in Opposition re 60 MOTION to Stay Litigation Pending Outcome of Reexamination Proceeding filed by Visto Corporation. (Hahm, Eugene) (Filed on 3/2/2005) (Entered: 03/02/2005)
- 03/03/2005 66 CLERK'S NOTICE Continuing Motion Hearing from 4/6/05 to 4/13/2005 10:30 AM. (bpf, COURT STAFF) (Filed on 3/3/2005) (Entered: 03/03/2005)
- 03/03/2005 67 CLERK'S NOTICE Continuing Motion Hearing Motion Hearing set for 4/13/2005 10:30 AM. Opposition to said Motion shall be filed on or before March 23, 2005. Reply shall be filed on or before March 30, 2005. (bpf, COURT STAFF) (Filed on 3/3/2005) (Entered: 03/03/2005)
- 03/04/2005 68 MEMORANDUM in Opposition re 51 MOTION to Dismiss Notice of Motion and Motion to Dismiss Sprokit's Counterclaims for Tortious Interference With Prospective Economic Advantage and Defamation Supplemental Memorandum filed by Sprokit Technologies, Inc., Sprokit Technologies, Inc., Sprokit Technologies, Inc.. (Related document(s) 51) (Robbenolt, Paul) (Filed on 3/4/2005) (Entered: 03/04/2005)
- 03/04/2005 69 MEMORANDUM in Support re 51 MOTION to Dismiss Notice of Motion and Motion to Dismiss Sprokit's Counterclaims for Tortious Interference With Prospective Economic Advantage and Defamation filed by Visto Corporation. (Related document(s) 51) (Hahm, Eugene) (Filed on 3/4/2005) (Entered: 03/04/2005)
- 03/09/2005 70 Reply Memorandum re 60 MOTION to Stay Litigation Pending Outcome of Reexamination Proceeding filed by Sprokit Technologies, Inc., Sprokit Technologies, Inc., Sprokit Technologies, Inc.. (Robbenolt, Paul) (Filed on 3/9/2005) (Entered: 03/09/2005)
- 03/09/2005 71 Declaration of Paul J. Robbenolt in Support of 60 MOTION to Stay Litigation Pending Outcome of Reexamination Proceeding (Supplemental Declaration) filed by Sprokit Technologies, Inc., Sprokit Technologies, Inc., Sprokit Technologies, Inc.. (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3# 4 Exhibit 4)(Related document(s) 60) (Robbenolt, Paul) (Filed on 3/9/2005) (Entered: 03/09/2005)
- 03/17/2005 72 ORDER Granting 51 Plaintiff's Motion to Dismiss Defendant's Counterclaims by Magistrate Judge Edward M. Chen. (emcsec, COURT STAFF) (Filed on 3/17/2005) (Entered: 03/17/2005)
- 03/21/2005 73 STIPULATION and Proposed Order Continuing Date of Hearing on Defendant's Motion to Stay Litigation Pending Outcome of Reexamination Proceeding by Sprokit Technologies, Inc., Sprokit Technologies, Inc.. (Robbenolt, Paul) (Filed on 3/21/2005) (Entered: 03/21/2005)
- 03/21/2005 74 CONTINUANCE OF SETTLEMENT CONFERENCE AND SETTLEMENT CONFERENCE ORDER. Signed by Judge James Larson on 3/21/05. (jlsec, COURT STAFF) (Filed on 3/21/2005) (Entered: 03/21/2005)
- 03/21/2005 75 ORDER re 73 Stipulation, filed by Sprokit Technologies, Inc.. Signed by Judge Edward M. Chen on 3/21/05. (bpf, COURT STAFF) (Filed on 3/21/2005) (Entered: 03/21/2005)
- 03/23/2005 76 CLERK'S NOTICE Continuing Motion Hearing on (1) DEFENDANT'S MOTION TO STAY LITIGATION PENDING OUTCOME OF REEXAMINATION PROCEEDING, and (2) PLAINTIFF'S MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT UNDER FRCP 15(a). Motion Hearing set for 4/13/2005 03:00 PM in Courtroom C, 15th Floor, San Francisco. (bpf, COURT STAFF) (Filed on 3/23/2005) (Entered: 03/23/2005)
- 03/31/2005 77 STIPULATION Joint Stipulation and [Proposed] Order (1) Granting Visto Leave to File First Amended Complaint and (2) Withdrawing Visto's Motion for Leave to File First Amended Complaint and [Proposed] Scheduling Order by Visto Corporation. (Attachments: # 1 Exhibit A: Visto's First Amended Complaint for Patent Infringement; Injunctive Relief; Damages; Demand for Jury Trial# 2 Exhibit B)(Hahm, Eugene) (Filed on 3/31/2005) (Entered: 03/31/2005)
- 04/04/2005 -- Set/Reset Hearings: Claims Construction Hearing set for 8/1/2005 10:30 AM. Motion for Summary Judgment Hearing set for 3/15/2006 10:30 AM in Courtroom C, 15th Floor, San Francisco. (bpf, COURT STAFF) (Filed on 4/4/2005) (Entered: 04/04/2005)
- 04/11/2005 78 CLERK'S NOTICE Continuing Motion Hearing Motion Hearing reset for 4/13/2005 10:30 AM in Courtroom C, 15th Floor, San Francisco. (bpf, COURT STAFF) (Filed on 4/11/2005) (Entered: 04/11/2005)
- 04/13/2005 79 Minute Entry: Motion Hearing held on 4/13/2005 before Edward M. Chen re 60 MOTION to Stay Litigation Pending Outcome of Reexamination Proceeding filed by Sprokit Technologies, Inc. Defendant's motion is granted. This case is stayed for 60 days. Telephonic Status conference reset from 5/4/05 to 6/15/05 at 2:30 p.m. Joint Status Conference Statement due 6/8/05. Court to issue order with other new deadlines. (Date Filed: 4/13/2005) (Court Reporter Kathy Wyatt.) (bpf, COURT STAFF) (Date Filed: 4/13/2005) (Entered: 04/13/2005)
- 04/14/2005 80 ORDER re 77 JOINT Stipulation (1) GRANTING VISTO LEAVE TO FILE FIRST AMENDED COMPLAINT. Signed by Judge Edward M. Chen on 4/14/05. (bpf, COURT STAFF) (Filed on 4/14/2005) (Entered: 04/14/2005)
- 04/14/2005 81 AMENDED COMPLAINT (First) for Patent Infringement; Injunctive Relief; Damages; Demand for Jury Trial against Sprokit Technologies, Inc.. Filed by Visto Corporation. (Hahm, Eugene) (Filed on 4/14/2005) (Entered: 04/14/2005)

04/20/2005 82 ORDER by Magistrate Judge Edward M. Chen GRANTING 60 Defendant's Motion to Stay Litigation Pending Outcome of Reexamination Proceeding. (emcsec, COURT STAFF) (Filed on 4/20/2005) (Entered: 04/20/2005)

04/20/2005 -- Set/Reset Hearings: Further Case Management Conference reset for 6/15/2005 02:30 PM. Joint Case Management Conference Statement due 6/8/05. (bpf, COURT STAFF) (Filed on 4/20/2005) (Entered: 04/20/2005)

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90/007093 Laufer

?us6085192/pn

\*\* SS 1: Results 1

Search statement 2

?prt full nonstop legalall

1/1 PLUSPAT - (C) QUESTEL-ORBIT- image  
 PN - US6085192 A 20000704 [US6085192]  
 TI - (A) System and method for securely synchronizing multiple copies of a workspace element in a network  
 PA - (A) ROAMPAGE INC (US)  
 PAO - RoamPage, Inc., Mountain View CA [US]  
 IN - (A) MENDEZ DANIEL J (US); RIGGINS MARK D (US); WAGLE PRASAD (US); YING CHRISTINE C (US)  
 AP - US83599797 19970411 [1997US-0835997]  
 PR - US83599797 19970411 [1997US-0835997]  
 IC - (A) G06F-017/30  
 EC - G06Q-010/00F2  
     - H04L-012/58  
     - H04L-029/06  
     - H04L-029/06C6A  
     - H04L-029/06C6B  
     - H04L-029/06C6C2  
 PCL - ORIGINAL (O) : 707010000; CROSS-REFERENCE (X) : 707001000 707009000 707104100 707203000  
 DT - Corresponding document  
 CT - US4831582; US4875159; US5263157; US5386564; US5581749; US5600834; US5613012; US5627658; US5666553; US5682524; US5684990; US5701423; US5706502; US5710918; US5715403; US5721908; US5721914; US5745360; US5757916; US5778346; US5790425; US5790790; US5799318  
     - Network Firewalls, Bellovin et al., IEEE Communications Magazine, pp. 50-57, Sep. 1994.

IpAccess--An Internet Service Access System for Firewall Installations, Steffen Stempel, 1995 IEEE, pp. 31-41, Feb. 1995.

Web traffic characterization: an assessment of the impact of caching documents from NCSA's web server, Braun et al., Computer Networks and ISDN Systems, V. 28, pp. 37-51, Jul. 1995.

Security for Infinite Networks, Nelson et al., Aug. 1995 IEEE, pp. 11-19.

Designing an Academic Firewall: Policy, Practice, and Experience with SURF, Greenwald et al., Proceedings of SNDSS '96, Feb. 1996 IEEE, pp. 79-92.

C-HTTP--The Development of a Secure, Closed HTTP-based Network on the Internet, Kiuchi et al., Proceedings of SNDSS '96, Feb. 1996 IEEE, pp. 64-75.

Establishing Firewall Policy, S. Cobb, Director of Special Projects National Computer Security Associations, Florida Office, ISBN-0-7803-3268-7, Jun. 1996, pp. 198-205.

Web site entitled "Bookmark Translator 2.0: This Utility transform Microsoft Internet Explore's bookmarks in the format valid for Netscape Navigator and viceversa," Enzo Marinacci, Rome- Jul. 1997, URL=http://www.bns.it/emware/BookmarkTranslator-uk.htm, pp. 1-4.

90/007093 Laufer

Article by Bellovin et al., entitled: "Network Firewalls" Published by IEEE Communications Magazine Sep. 1994, pp.50-57.

Article by Steffen Stempel, entitled: "IPAccess-An Internet Service Access System for Firewall Installations" Published by IEEE Communications Magazine a Feb. 16, 1995, pp.31-41.

Article by Braun et al., entitled: "Web Traffic Characterization: an assessment of the impact of caching documents from NCSA's web server" Published by Elsevier Science B.V. 1995 pp. 37-51.

Article by Nelson et al., entitled: "Security for Infinite Networks" Published by IEEE Communications Magazine on Aug. 22, 1995, pp.11-19.

Article by Greenwald et al., "Designing an Academic Firewall: Policy, Practice, and Experience with SURF" Published by IEEE Communications Magazine on Feb. 22, 1996, pp. 79-92.

Article by Kiuchi et al., entitled: "C-HTTP-The Development of a Secure, Closed HTTP-based Network on the Internet" Published by IEEE Proceedings of SNDSS on Feb. 22, 1996, pp. 64-75.

Article by S. Cobb, entitled: "Establishing Firewall Policy" Published by National Computer Security Assn. on Jun. 25-27, 1996, pp. 198-205.

STG - (A) United States patent

AB - A system includes a general synchronization module at the client site for operating within a first firewall and for examining first version information to determine whether a first workspace element has been modified. The system further includes a synchronization agent at a global server for operating outside the first firewall and for forwarding to the general synchronization module second version information which indicates whether an independently-modifiable copy of the first workspace element has been modified. A synchronization-start module is maintained at the client site for operating within the first firewall and for securely initiating the general synchronization module and the synchronization agent when predetermined criteria have been satisfied. The system further includes means for generating a preferred version from the first workspace element and from the copy by comparing the first version information and the second version information, and means for storing the preferred version at the first store and at the second store.

UP - 2000-26

1/1 LGST - (C) EPO

PN - US6085192 A 20000704 [US6085192]

AP - US83599797 19970411 [1997US-0835997]

ACT - 20000320 US/AS-A

ASSIGNMENT

OWNER: VISTO CORPORATION 1937 LANDINGS DRIVE MOUNTAIN VIE; EFFECTIVE DATE: 19970812

CHANGE OF NAME; ASSIGNOR: ROAMPAGE, INC.; REEL/FRAME: 010685/0695

- 20000809 US/AS-A

ASSIGNMENT

OWNER: SAND HILL CAPITAL II, LP BUILDING 2, SUITE 110 300; EFFECTIVE DATE: 20000803

SECURITY INTEREST; ASSIGNOR: VISTO CORPORATION; REEL/FRAME: 011052/0664

- 20010430 US/AS-A

ASSIGNMENT

OWNER: FB COMMERCIAL FINANCE, INC. 135 NORTH MERAMEC AVEN; EFFECTIVE DATE: 20001211

90/007093 Laufer

ASSIGNMENT OF ASSIGNORS INTEREST;ASSIGNORS:SAND HILL CAPITAL II,  
L.P.;SAND HILL CAPITAL II Q, L.P.;SAND HILL CAPITAL,  
LLC;REEL/FRAME:011742/0974

- 20030213 US/AS-A

ASSIGNMENT

OWNER: VISTO CORPORATION 275 SHORELINE DR STE 300REDWOOD; EFFECTIVE  
DATE: 20030213

RELEASE;ASSIGNOR:SILICON VALLEY BANK;REEL/FRAME:013776/0491

- 20030807 US/AS-A

OWNER: VISTO CORPORATION 275 SHORELINE DRIVE, SUITE 300RE; EFFECTIVE  
DATE: 20030804

CHANGE OF ADDRESS;ASSIGNOR:VISTO CORPORATION;REEL/FRAME:014351/0887

- 20040622 US/RR-A [+]

REQUEST FOR REEXAMINATION FILED

EFFECTIVE DATE: 20040518

- 20040810 US/RR-A [+]

REQUEST FOR REEXAMINATION FILED

EFFECTIVE DATE: 20040618

UP - 2005-07

1/1 CRXX - (C) CLAIMS/RRX

PN - 6,085,192 A 20000704 [US6085192]

PA - RoamPage Inc

ACT - 20000809 REASSIGNED

SECURITY INTEREST

Assignor: VISTO CORPORATION, DATE SIGNED: 08/03/2000

Assignee: SAND HILL CAPITAL II, LP, BUILDING 2, SUITE 110, 3000 SAND  
HILL ROAD, MENLO PARK, CALIFORNIA, 94025

Reel 011052/Frame 0664

Contact: LEVY, SMALL & LALLAS, SEBASTIAN CAMUA, 815 MORAGA DRIVE, LOS  
ANGELES, CA 90049

- 20010430 REASSIGNED

ASSIGNMENT OF ASSIGNORS INTEREST

Assignor: SAND HILL CAPITAL II, L.P., DATE SIGNED: 12/11/2000

SAND HILL CAPITAL II Q, L.P., DATE SIGNED: 12/11/2000

SAND HILL CAPITAL, LLC, DATE SIGNED: 12/11/2000

Assignee: FB COMMERCIAL FINANCE, INC., 135 NORTH MERAMEC AVENUE, ST.  
LOUIS, MISSOURI, 63105

Reel 011742/Frame 0974

Contact: GRAY, CARY, WARE & FREIDENRICH, ERIN O'BRIEN, 400 HAMILTON  
AVENUE, PALO ALTO, CA 94301

- 20030213 REASSIGNED

RELEASE

Assignor: SILICON VALLEY BANK, DATE SIGNED: 02/13/2003

Assignee: VISTO CORPORATION, 275 SHORELINE DR STE 300, REDWOOD SHORES,  
CALIFORNIA, 94065

Reel 013776/Frame 0491

90/007093 Laufer

Contact: SILICON VALLEY BANK, BRYAN BRITTINGHAM, 3003 TASMAN DR., LOAN  
DOCUMENTATION HA155, SANTA CLARA, CA 95054

- 20030807 REASSIGNED  
CHANGE OF ADDRESS

Assignor: VISTO CORPORATION, DATE SIGNED: 08/04/2003

Assignee: VISTO CORPORATION, 275 SHORELINE DRIVE, SUITE 300, REDWOOD  
SHORES, CALIFORNIA, 94065

Reel 014351/Frame 0887

Contact: SQUIRE, SANDERS & DEMPSEY, L.L.P., MARC A. SOCKOL, 600 HANSEN  
WAY, PALO ALTO, CA 94304-1043

- 20040518 REEXAMINATION REQUESTED  
ISSUE DATE OF O.G.: 20040622  
REEXAMINATION REQUEST NUMBER: 90/007040  
Seven Networks, Inc., Redwood City, CA; c/o Robert E. Krebs, San Jose,  
CA
- 20040618 REEXAMINATION REQUESTED  
ISSUE DATE OF O.G.: 20040810  
REEXAMINATION REQUEST NUMBER: 90/007093  
Robert E. Krebs, San Jose, CA

1/2 LITA - (C) Thomson Derwent

AN - P2004-30-09  
FS - PATENT (P)  
PN - US6085192 20000704 (Utility)  
PF - Visto Corporation  
DF - Sproquit Technologies Inc.  
CT - CA, Northern Dist.  
DN - C 04 0651✓  
FD - 2004-02-17  
ACT - A complaint was filed.

2/2 LITA - (C) Thomson Derwent

AN - P2003-42-80  
FS - PATENT (P)  
PN - US6023708 20000208 (Utility)  
PF - Visto Corporation  
DF - Seven Networks Incorporated  
CT - TX, Eastern Dist.  
DN - 2-03CV-333✓  
FD - 2003-09-23  
ACT - A complaint was filed.  
OPN - US6085192

Search Result List				
Description	Court	Docket Number	Filed	Date Retrieved
Visto Corporation v. Smartner Information Systems, Ltd	US-DIS-TXED	2:05cv91	2/25/2005	5/24/2005
Sproqit Technologies, Inc v. Visto Corporation et al	US-DIS-CAND	3:04cv5270	12/10/2004	3/14/2005
Infowave Software Inc v. Visto Corporation	US-DIS-TXND	3:04cv1165	5/28/2004	1/18/2005
Visto Corporation v. Sproqit Technologies, Inc	US-DIS-CAND	3:04cv651 ✓	2/17/2004	5/31/2005
Sproqit Technologies v. Visto Corporation, et al	US-DIS-MND	0:04cv891	2/10/2004	1/18/2005
Visto Corporation v. Seven Networks Inc	US-DIS-TXED	2:03cv333 ✓	9/23/2003	6/7/2005

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PTO/SB/21 (09-04)

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JUL 19 2005

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	90/007,093
Filing Date	06/18/2004
First Named Inventor	Daniel J. Mendez
Art Unit	2163
Examiner Name	Alford W. Kindred
Attorney Docket Number	25587-033-005 RE

**ENCLOSURES (Check all that apply)**

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_
- ☐ Landscape Table on CD

- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):  
See Remarks Section

**Remarks**

Return Receipt Postcard; 2 Copies of Form PTO/SB/08b (1 pg each); One Copy each of the 12 Documents cited on Form PTO/SB/08b, and Proof of Service

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name Manatt, Phelps &amp; Phillips, LLP

Signature

Printed name Pamela S. Merkaea

Date

18 July 05

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**CERTIFICATE OF TRANSMISSION/MAILING**

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Date July 18, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

re reexamination of: 6,085,192	:	Confirmation No.: 9956
	:	
First Named Inventor: Daniel J. Mendez	:	Examiner: Alford W. Kindred
	:	
Application/Control No.: 90/007,093	:	Group Art Unit: 2163
	:	
Filed: 06/18/2004	:	Atty Dkt No.: 25587-033-005 RE
	:	
For: SYSTEM AND METHOD FOR	:	
SECURELY SYNCHRONIZING	:	
MULTIPLE COPIES OF A	:	
WORKSPACE ELEMENT IN A	:	
NETWORK	:	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**2<sup>ND</sup> SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR § 1.555 and §1.98(d)**

Sir:

In compliance with 37 C.F.R. §1.555, Applicant, on behalf of Visto Corporation, the owner of patent No. 6,085,192, submits herewith supplemental information known to be material to the patentability of the pending claims in connection with the above-identified reexamination proceeding.

Pursuant to 37 C.F.R. §1.98(d), one copy of each publication and other information listed on the attached Form PTO/SB/08b, the Information Disclosure Statement By Applicant, is enclosed. Applicant respectfully requests that the Examiner consider the enclosed documents, and make each document of record in the instant reexamination application. Applicant has provided two copies of Form PTO/SB/08b, and requests that the Examiner use one copy for indicating his consideration by initialing each cited document, and returning the initialed copy to Applicant.